



APPLICATION ACCEPTED: March 12, 2010  
DATE OF PUBLIC HEARING: May 19, 2010  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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May 12, 2010

### STAFF REPORT

**SPECIAL PERMIT APPLICATION No. SP 2010-DR-019**

### DRANESVILLE DISTRICT

**APPLICANTS:** Jonathan Fisher and Alexis R Fisher

**OWNER:** Jonathan Fisher

**ZONING:** R-3

**LOCATION:** 6603 Jerry Place

**SUBDIVISION:** Kent Gardens

**ZONING ORDINANCE PROVISION:** 8-922

**TAX MAP:** 40-2 ((21)) 46

**LOT SIZE:** 10,759 Square Feet

**SP PROPOSAL:** Reduction of certain yard requirements to permit construction of detached garage 6.0 ft. from side lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2010-DR-019 for the detached garage subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with provisions of any applicable ordinances, regulations, or adopted standards.

*O:\Scaff2\Case Files\Special Permits\SP 2010-DR-019 JONATHAN AND ALEXIS FISHER\FISHER\_Cover.doc* Shannon Caffee

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



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It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

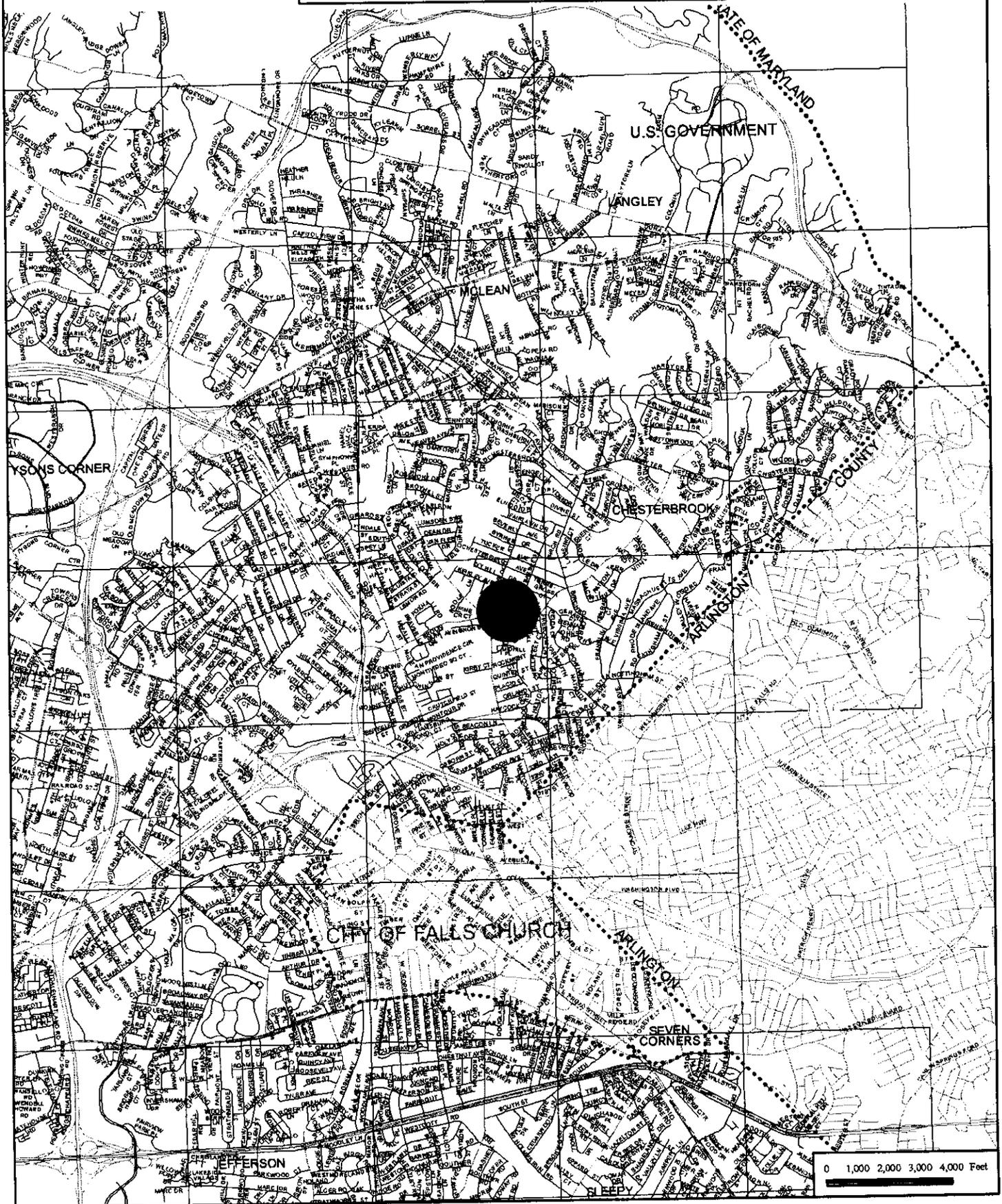


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2010-DR-019

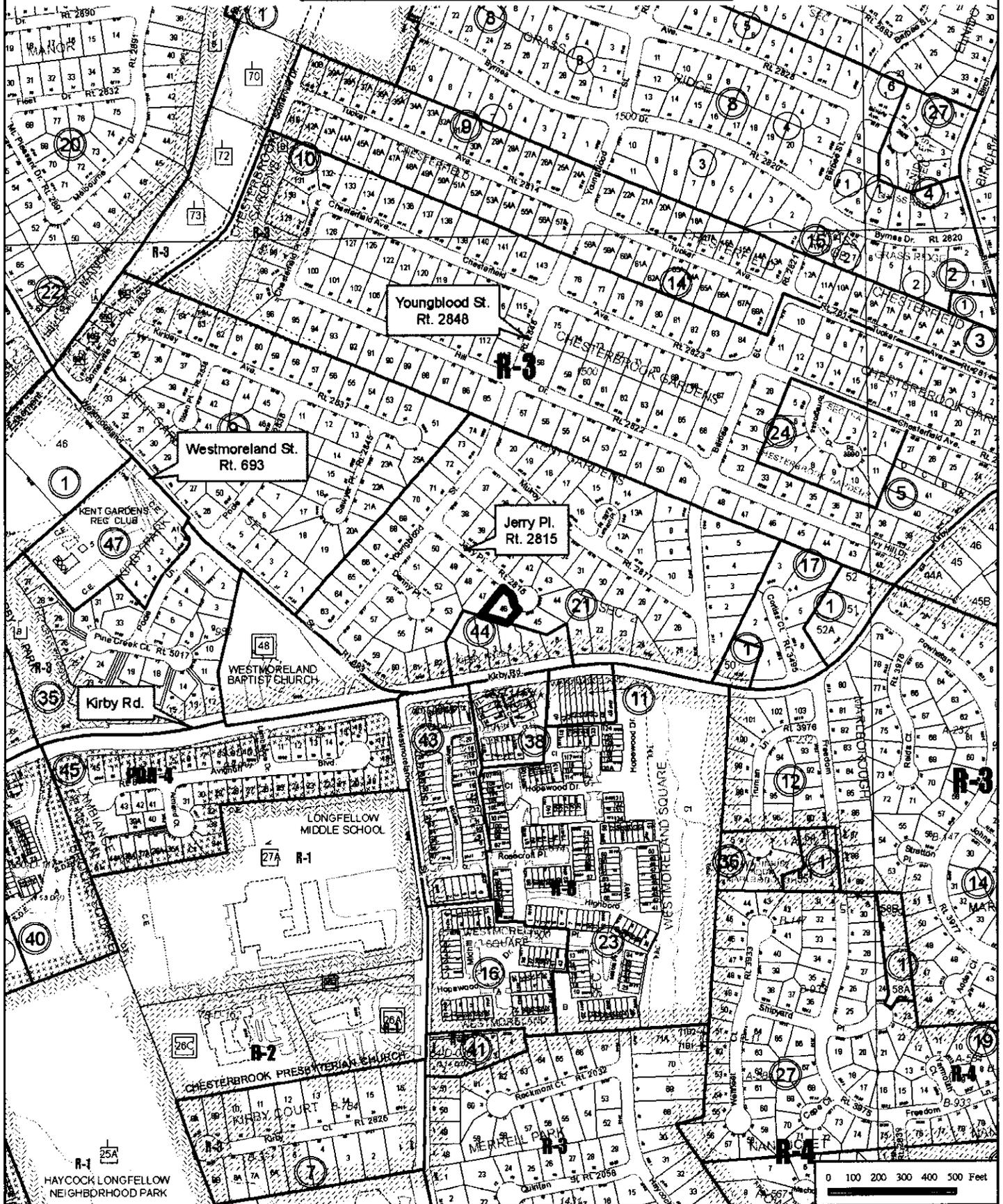
JONATHAN FISHER AND ALEXIS R FISHER



# Special Permit

SP 2010-DR-019

JONATHAN FISHER AND ALEXIS R FISHER





**GENERAL NOTES:**

**GARAGE: Per Plans**

Construct a 360' sq. ft. garage, gable style roof, approximately 22' x 16'; per plans. Permits have been included.

\*\* We assume existing house foundation, walls and roof are sound and will require no structural reworking.

Excavate ground to accept new 16' x 22' garage at the end of the driveway.

Spread dirt from excavation around rear of yard and spread grass seed. No hauling of dirt off the premises. No additional landscaping has been included.

Four a new 16' x 22' slab with turn down footers. Slab to be 5" thick over 4" of gravel with 6" x 6" wire mesh.

Exterior walls to be 2" x 4" 16' on center with sheathing frame and install 1 garage car door and 1 steel half light entry door with lockset.

Frame and install 1 vinyl double hung 32" wide by 52" tall field verify.

Truss roof 2' on center with 6/12 pitch field verify with sheathing.

Install new garage car door, entry door (Stanley) and (1) window.

Garage car door model # 1945 with door opener and two transmitters.

Install new 25 year shingle over 30# felt shingle to blend with the house shingles. Includes ice and snow shield and drip edge.

Trim the exterior with vinyl siding, soffit, fascia, rake molding around trim around window and doors.

Flow white standard 5" gutters and downspouts.

5 interior outlets.

61 light/outlet combination on garage door opener and (2) transmitters for the garage door.

Install (1) owner supplied light on outside of exterior entry door.

2 new 20 amp dedicated electrical circuits buried under ground.

**GENERAL NOTES:**

**DRAWING INDEX:**

SHEET	DESCRIPTION
1	COVER SHEET
2	EXISTING PLANS/ELEVATIONS
3	PROPOSED PLAN
4	PROPOSED ELEVATION VIEWS
5	FOUNDATION PLAN
6	FRAMING PLAN
7	WALL FRAMING
8	ROOF FRAMING
9	DETAILS
10	ELECTRICAL
10	TOTAL NUMBER OF SHEETS

THIS PROJECT IS TO COMPLY WITH THE 2006 VIRGINIA RESIDENTIAL CODE.

RECEIVED  
 Department of Planning & Zoning  
 NOV 04 2009  
 Zoning Evaluation Example

THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN/ARCHITECTURE, INC. SOLELY FOR YOUR USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.



4201 Sandstone Lane  
 Newport News, VA 23602  
 757-246-2800  
 757-246-2801  
 757-246-2802  
 757-246-2803  
 757-246-2804  
 757-246-2805  
 757-246-2806  
 757-246-2807  
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 757-246-2818  
 757-246-2819  
 757-246-2820

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

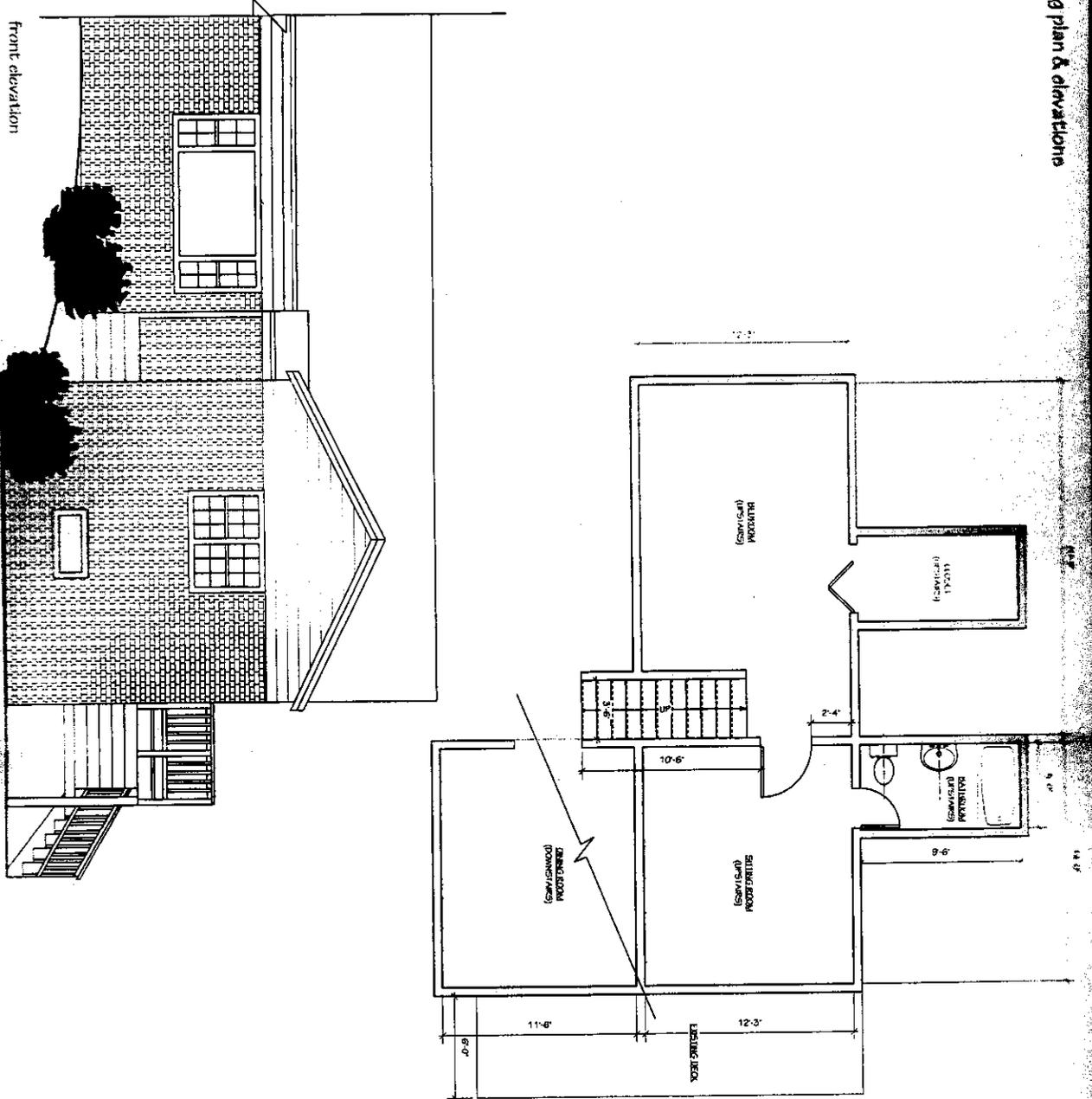
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DESIGNING JOB	01-18-09
PERMITS	01-20-09
CONTRACT SIGNING	02-27-09
PERMITS DELIVERED	05-01-09

PROJECT NUMBER: 14891712

DATE: 04-29-09

SCALE: AS NOTED

1 of 10

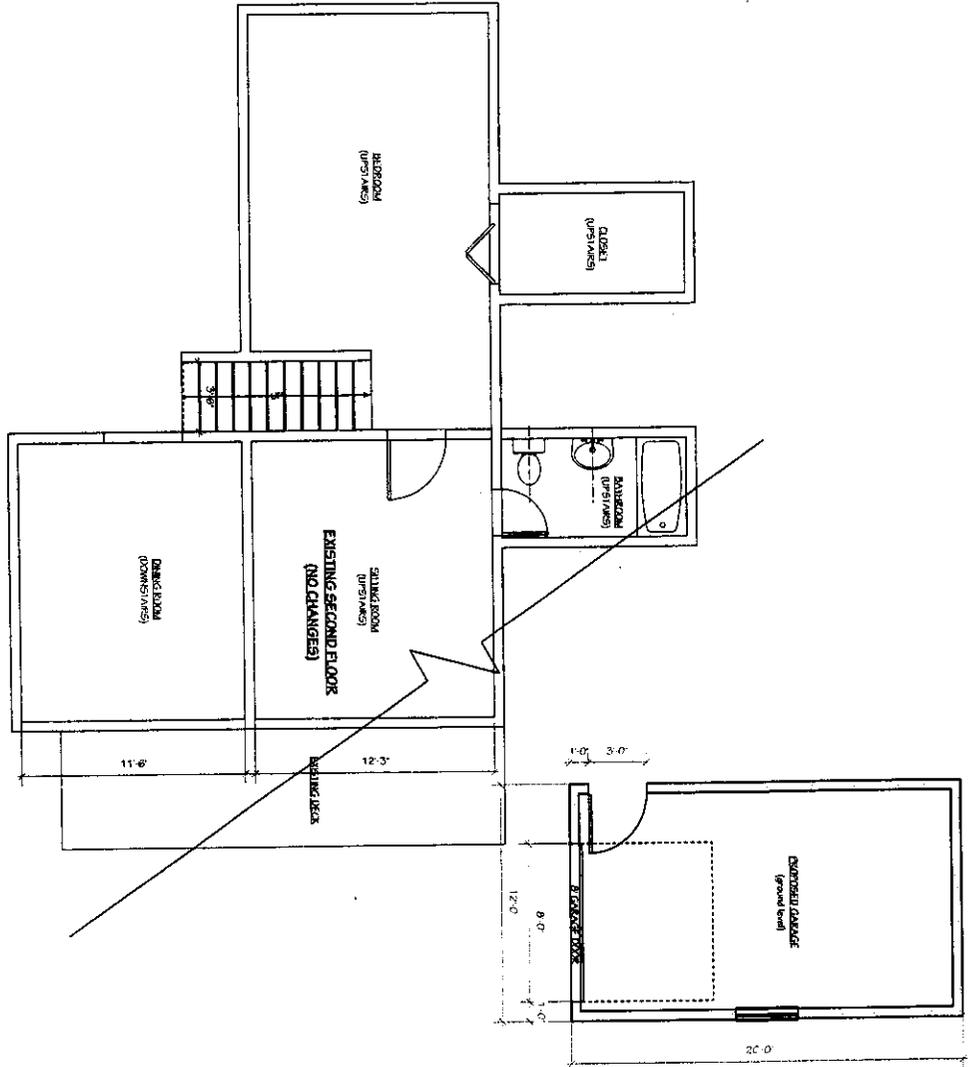


front elevation

1/4" = 1'

THIS DRAWING IS THE PROPERTY OF CASE DESIGN & MODELING, INC. SOLELY FOR ITS USE AND SHOULD NOT BE REPRODUCED BY ANY OTHER PARTY.

		<b>FISHER RESIDENCE</b> <b>6603 JERRY PLACE</b> <b>MCLEAN, VA 22101</b>	
<b>OWNER:</b> 4100 S. ... North Falls ... 2011 ... 703.800.2273	<b>DATE:</b> 01-14-08	<b>PROJECT NO.:</b> 01-02-08	<b>SCALE:</b> 1/4" = 1'
<b>ARCHITECT:</b> CASE DESIGN & MODELING, INC. 1511 ... 4103 ...	<b>DATE:</b> 01-14-08	<b>PROJECT NO.:</b> 01-02-08	<b>SCALE:</b> 1/4" = 1'
<b>DESIGNER:</b> ...	<b>DATE:</b> 01-14-08	<b>PROJECT NO.:</b> 01-02-08	<b>SCALE:</b> 1/4" = 1'



1/4" = 1'

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**Case Design/Rendering, Inc.**  
 4701 Sully Road  
 Suite 200  
 Bethesda, MD 20814  
 301.778.4000 / 301.778.3142

**Case Design/Rendering, Inc.**  
 1700  
 Falls Church, VA 22046  
 703.241.2800 / 703.526.0207

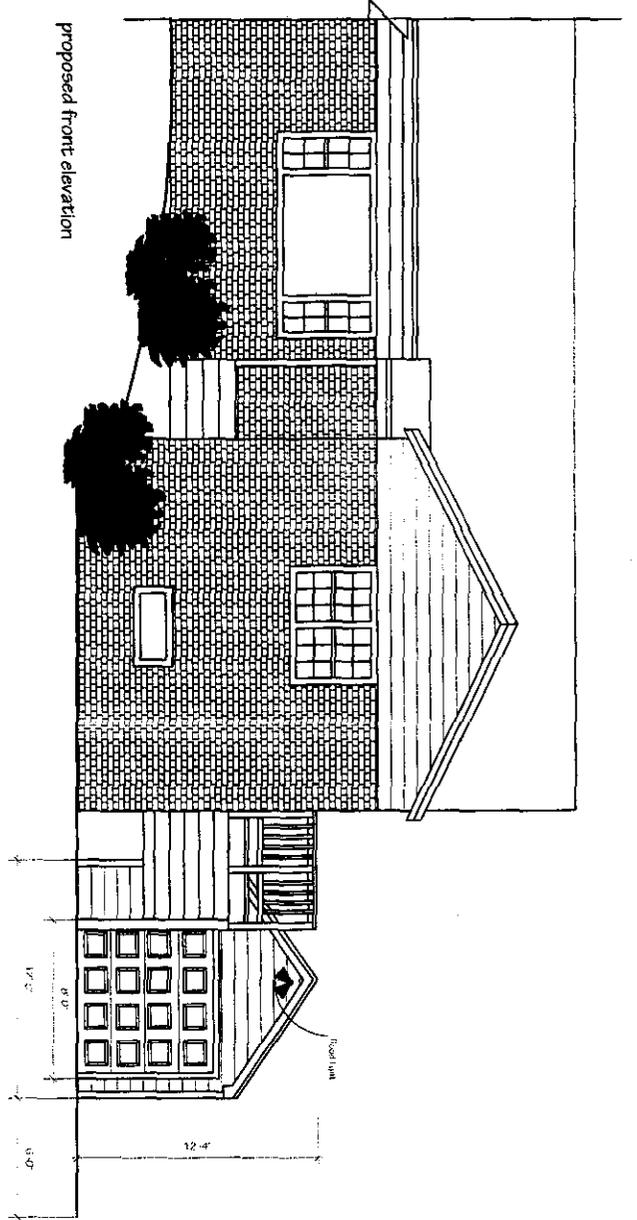
**Case Design/Rendering, Inc.**  
 14501-2 Sully Road  
 Quantico, VA 22083-9025  
 703.241.2800 / 703.526.0207

**Case Design/Rendering, Inc.**  
 1311 Sully Road, Suite 1018  
 Norfolk, VA 23502  
 410.848.4100 / 410.848.4120

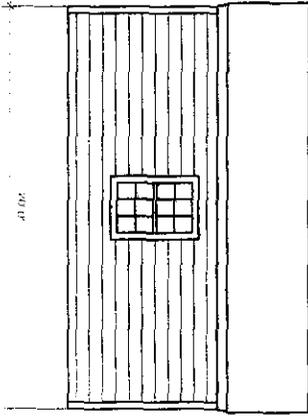
**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DESCRIPTION	DATE
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3. 02-27-09	
4. 08-02-09	
5. 08-02-09	

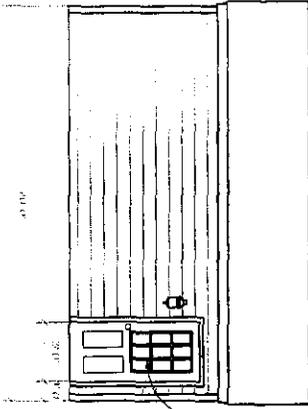
PROJECT NUMBER	14501-1723
OWNER	DOX, DENISE S.
DESIGNER	Case Design/Rendering, Inc.
DATE	04-23-09
SCALE	AS NOTED
3	OF
10	



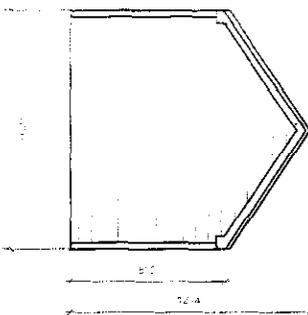
proposed front elevation



proposed right elevation



proposed left elevation



proposed rear elevation

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1501 S. Oak Street  
 Suite 1015  
 Arlington, VA 22204  
 703.544.1100  
 703.544.1101  
 703.544.1102  
 703.544.1103  
 703.544.1104  
 703.544.1105  
 703.544.1106  
 703.544.1107  
 703.544.1108  
 703.544.1109  
 703.544.1110

FISHER RESIDENCE  
 6603 JERRY PLACE  
 MCLEAN, VA 22101

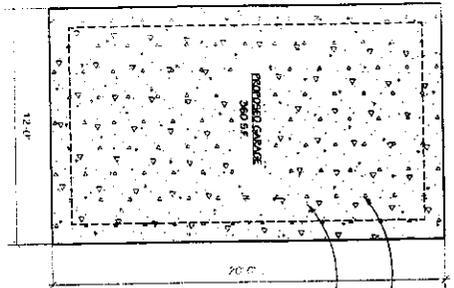
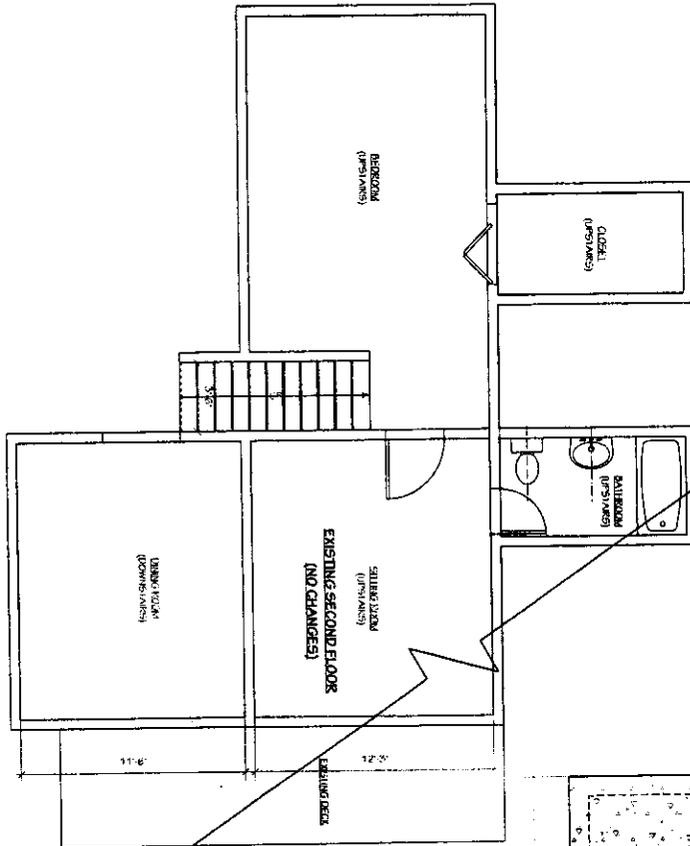
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01-20-09	PERMITS
02-27-09	CONTRACT SIGNATURES
03-02-09	PERMIT SIGNATURES

SCALE	DATE
AS SHOWN	04-28-09

4	of	10
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Foundation plan to accompany No. 167-277  
 prepared at end of sheets  
 spread data from excavation and/or  
 ground level report will include  
 of the ground plan.

12' x 20' area, 18" x 27" dia  
 with 12" x 27" dia

1/4" = 1'

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14501 C...  
 703.541.2800 (703) 534-0257  
 14501 C...  
 703.541.2800 (703) 534-0257

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DESCRIPTION	DATE
FOUNDATION PLAN	01-18-08
F.A. DRAWINGS	01-30-08
CONTRACT DRAWINGS	02-27-08
PROJECT DRAWINGS	03-02-08

DATE: 14/08/12

PROJECT NAME: 6603 JERRY PLACE

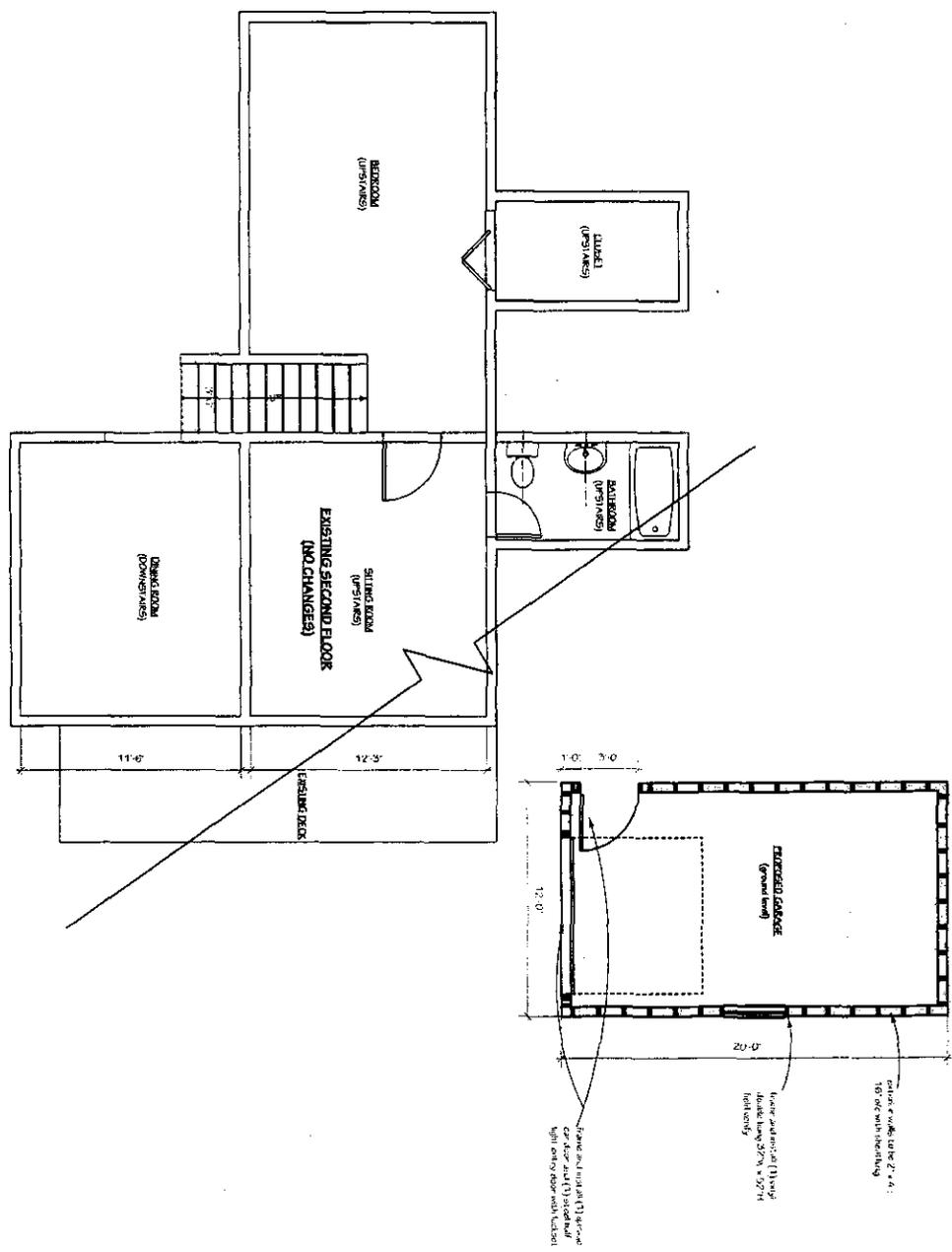
PROJECT ADDRESS: 6603 JERRY PLACE, MCLEAN, VA 22101

SCALE: AS SHOWN

DATE: 04/28/08

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13 SEP 08

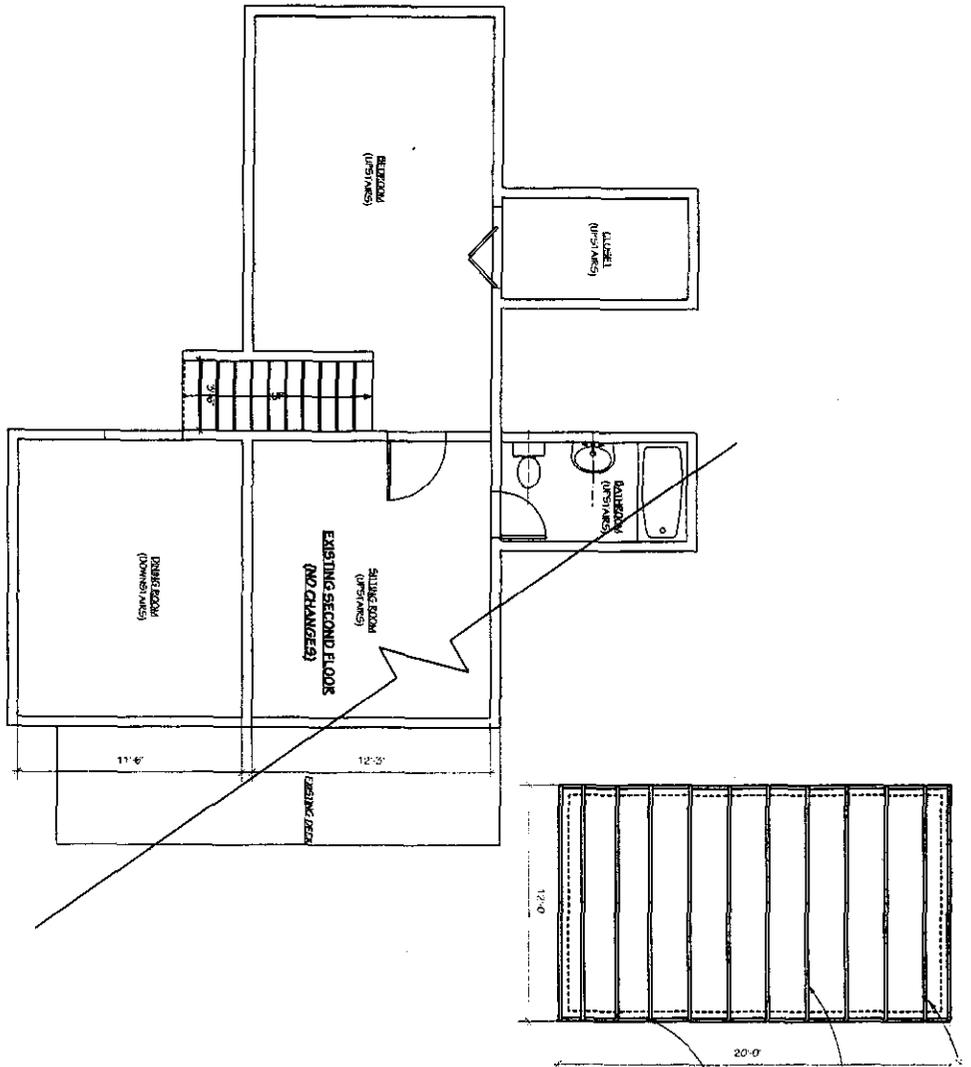


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	4701 Sanger Road Suite 200 McLean, VA 22102 703.255.4000 (F) 703.255.5155	1511 Sutter Parkway, Suite 101B Chesapeake, VA 23041 410.549.1300 (F) 410.549.1395	<b>FISHER RESIDENCE</b> 6603 JERRY PLACE MCLEAN, VA 22101	<table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>Initial Design</td> <td>01.18.08</td> </tr> <tr> <td>Final Design</td> <td>01.28.08</td> </tr> <tr> <td>Contract Documents</td> <td>02.27.08</td> </tr> <tr> <td>Final Estimate</td> <td>03.03.08</td> </tr> </tbody> </table>	DESCRIPTION	DATE	Initial Design	01.18.08	Final Design	01.28.08	Contract Documents	02.27.08	Final Estimate	03.03.08
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Final Design	01.28.08													
Contract Documents	02.27.08													
Final Estimate	03.03.08													
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6 of 10  
 61500000





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4301 E. ...  
 301 ...  
 70 ...  
 703 ...  
 1401 ...  
 700 ...  
 1511 ...  
 410 ...

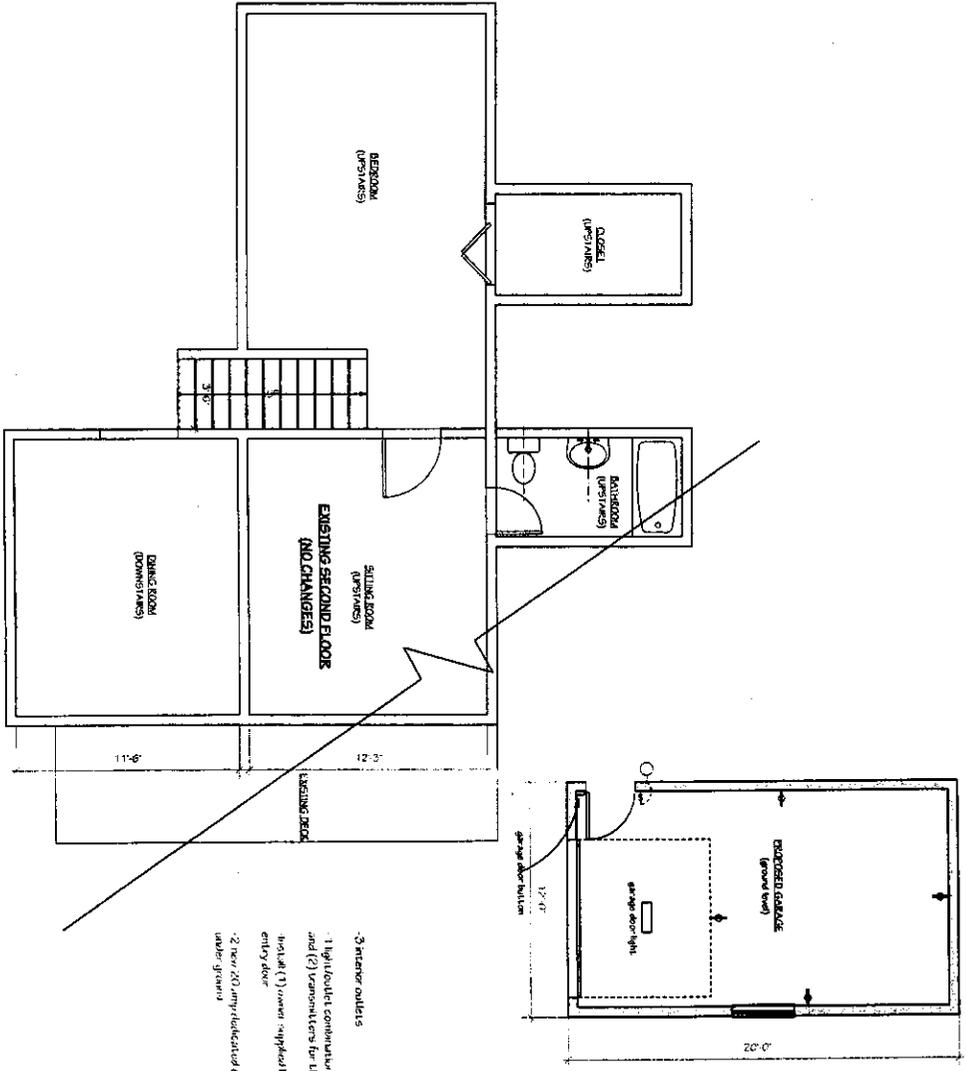
FISHER RESIDENCE  
 6603 JERRY PLACE  
 MCLEAN, VA 22101

DATE	DESCRIPTION
01-14-08	...
01-20-08	...
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04-23-08	...
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SCALE: AS NOTED  
 DATE: 04-23-08

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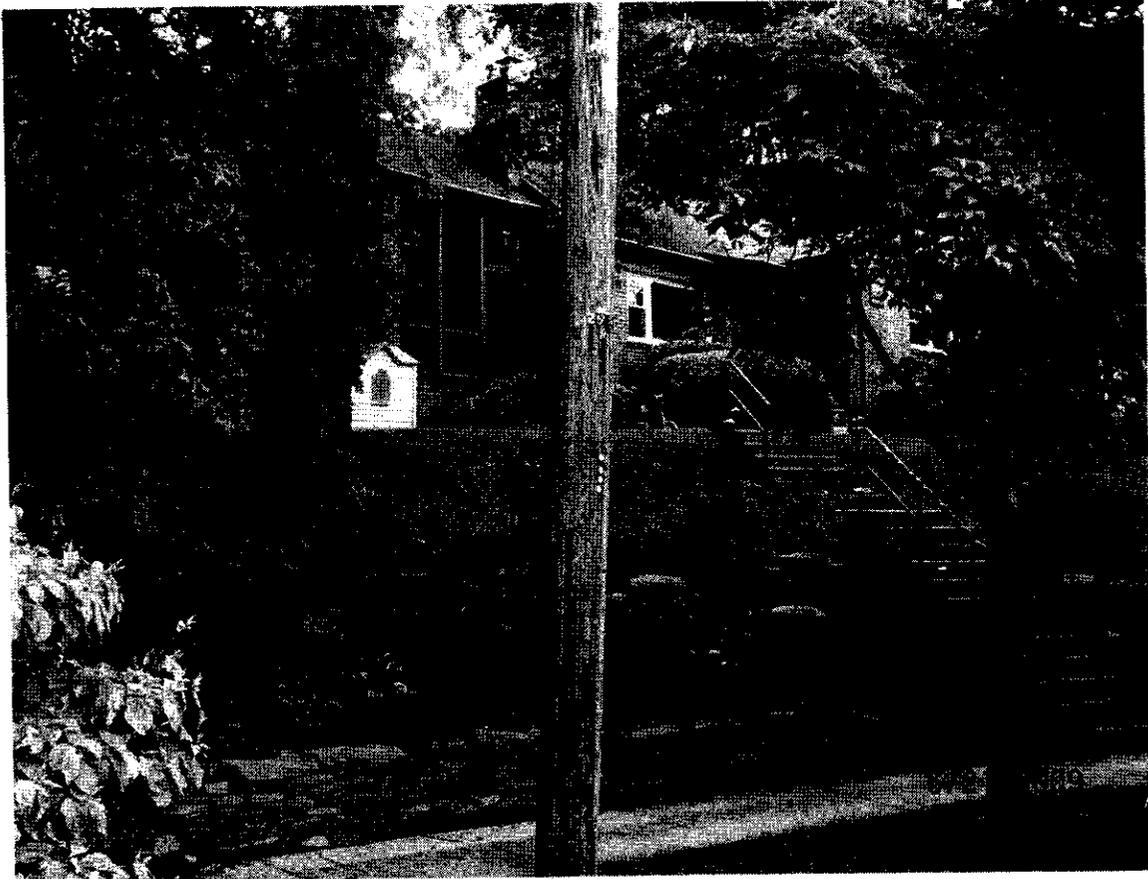
- 3-gang outlet
- 1 light fixture combination garage door opener and (2) transmitters for the garage door
- hot/air (1) room - supplied light on outside of exterior entry door
- 2 new 20 amp dedicated electrical circuits buried under ground

		<b>FISHER RESIDENCE</b> <b>6603 JERRY PLACE</b> <b>MCLEAN, VA 22101</b>	
4701 Sully Road Suite 100 McLean, VA 22101 703.278.8800 (T) 703.278.3195 Fax: 703.278.8801		15111 Rockwood Suite 4013 Annandale, VA 22012 410.848.4150 (T) 410.848.4150	
7700 Lee Highway Suite 200 Falls Church, VA 22044 703.241.7800 (T) 703.544.0207 703.544.0208 (F) 703.544.0209		14001 E. Sully Road Suite 100 McLean, VA 22102 703.800.8225 (T) 703.800.8025	
CONTACT NUMBER: 1-800-1733 DRAWING DATE: 01-18-08 CONTRACTOR: P.A. Donaghy CONTRACT NUMBER: 02-27-08 PERMIT NUMBER: 03-09-09		SCALE: AS SHOWN DATE: 04-28-09	

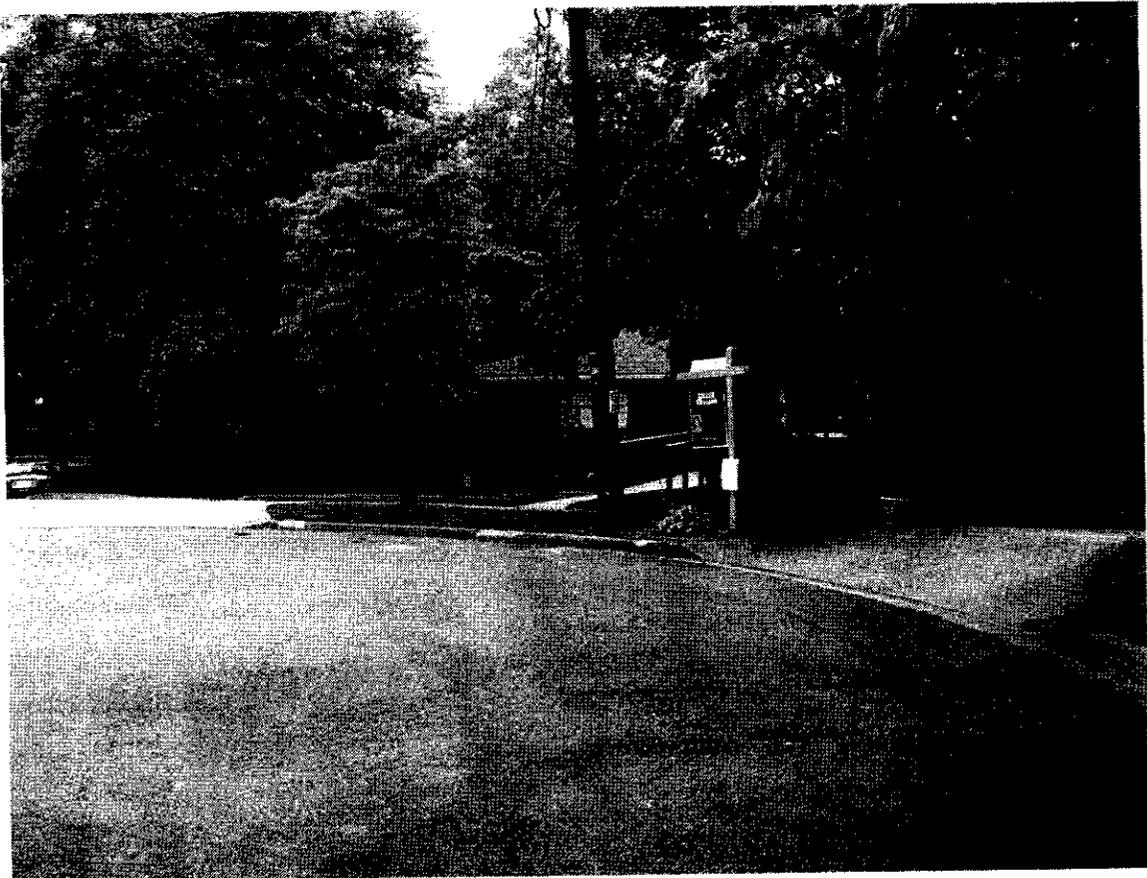
10 of 10

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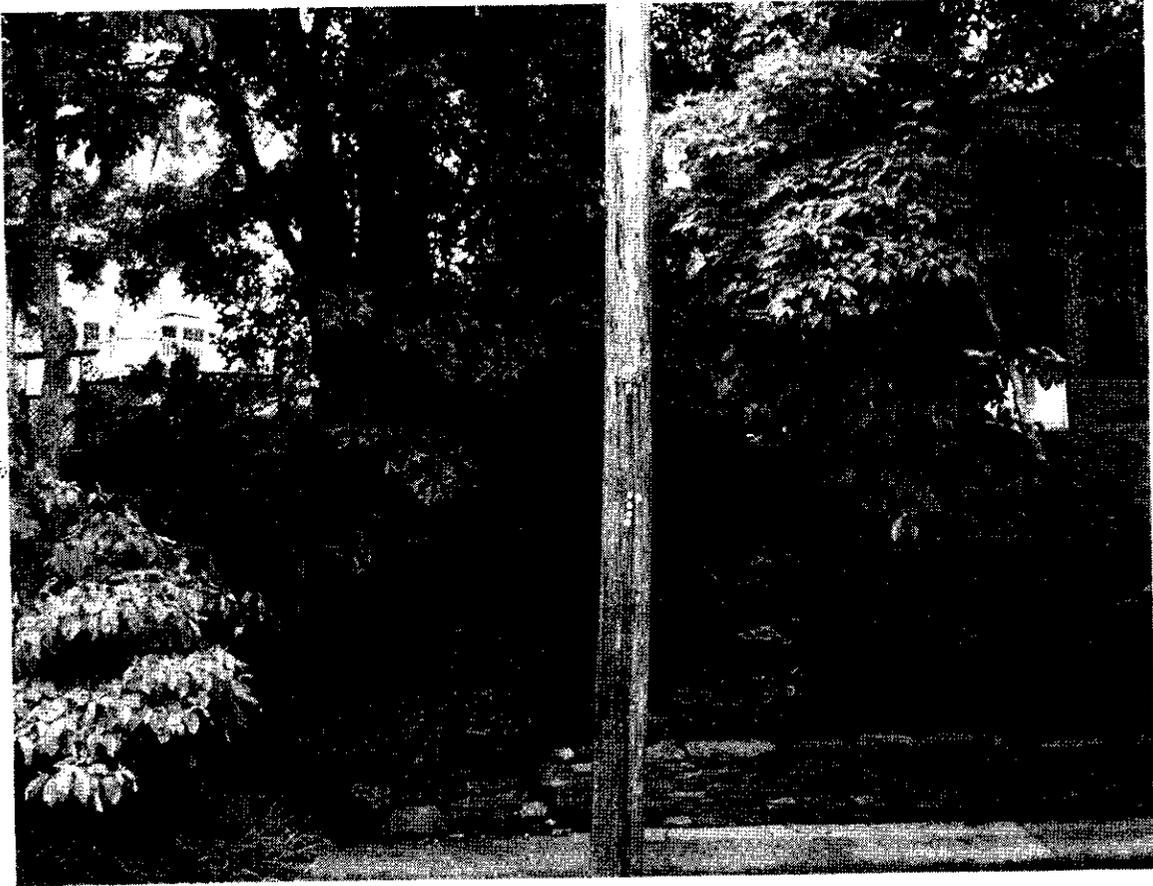




**Position 1**



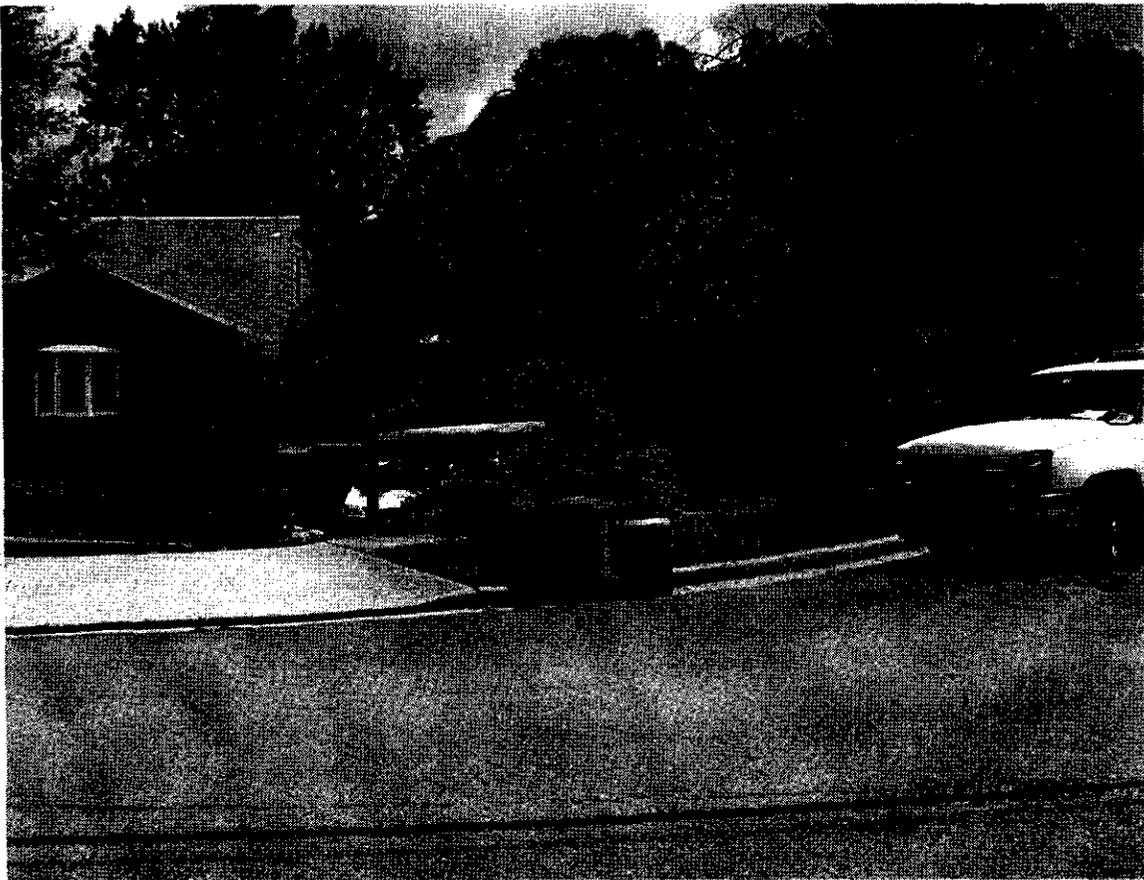
**Position 2**



**Position 3**



**Position 4**



**Position 5**



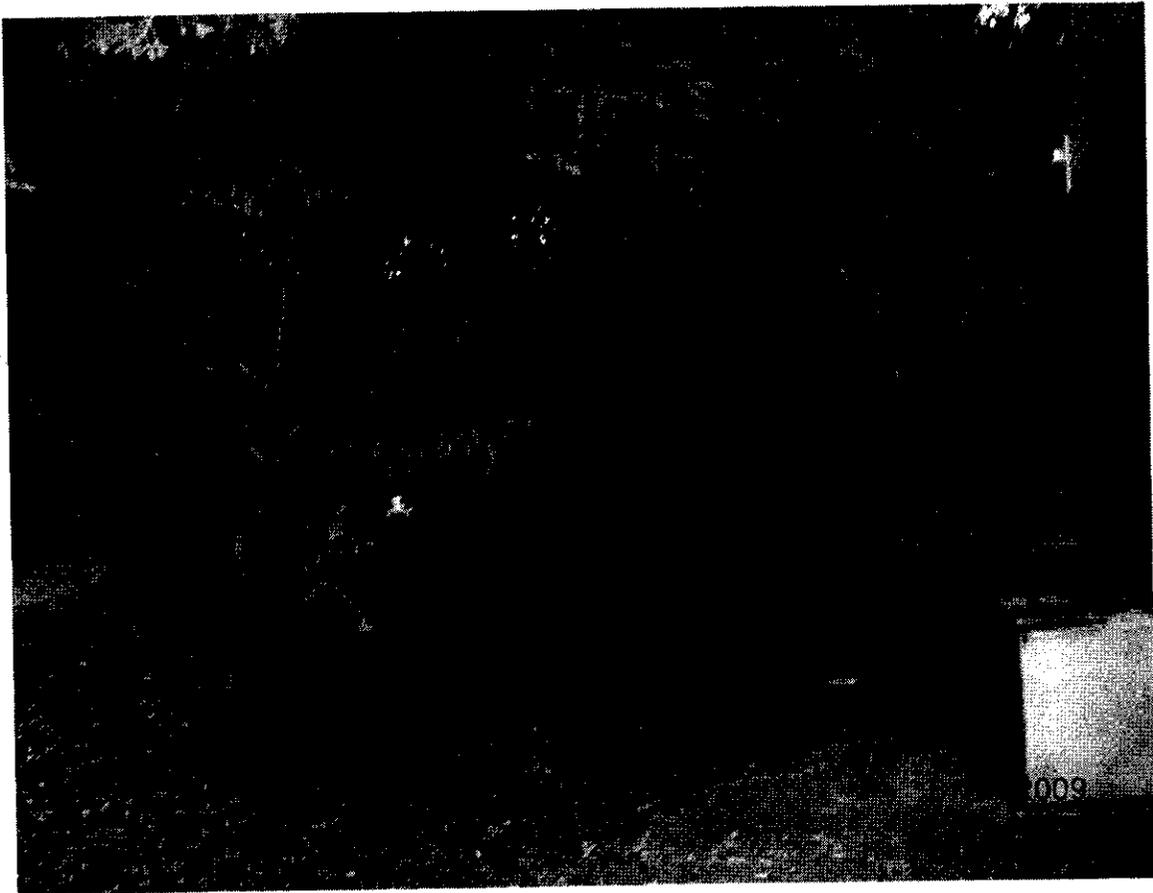
**Position 6**



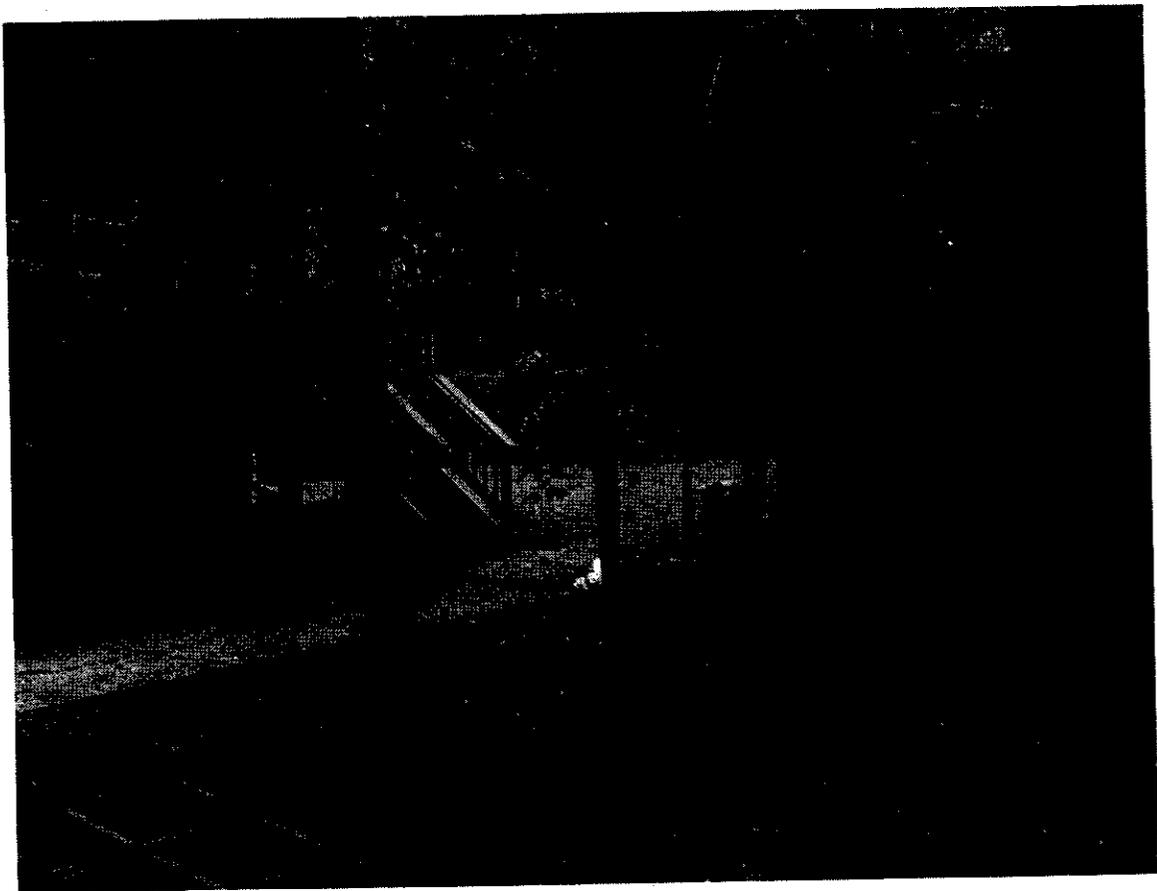
**Position 7**



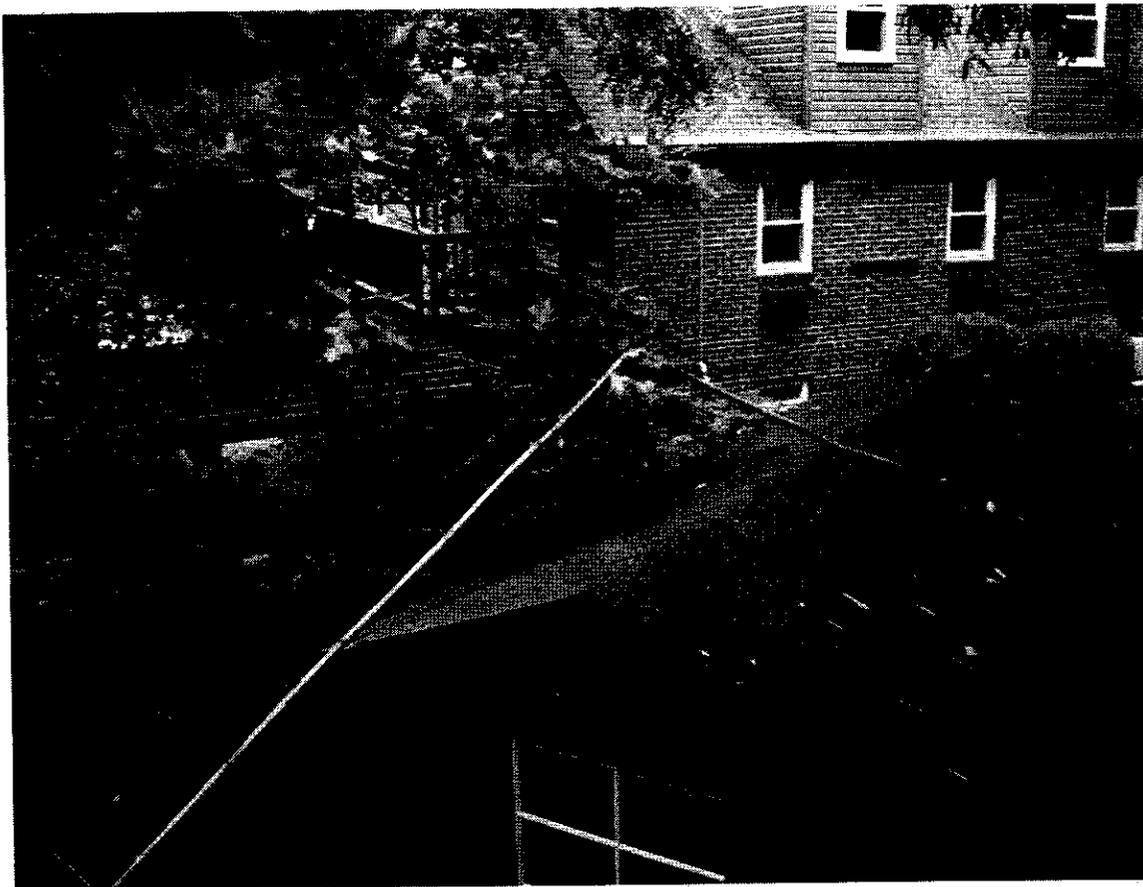
**Position 8**



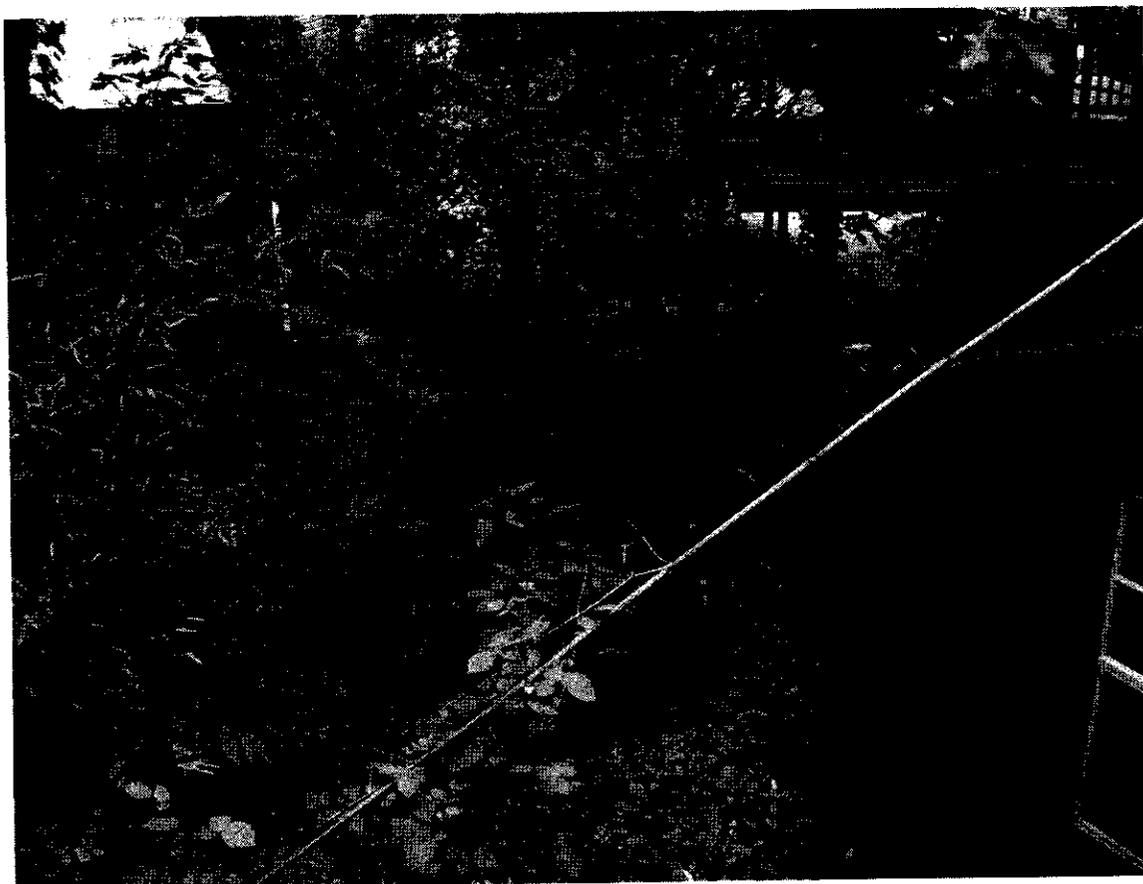
**Position 9**



**Position 10**



**Position 11**



**Position 12**



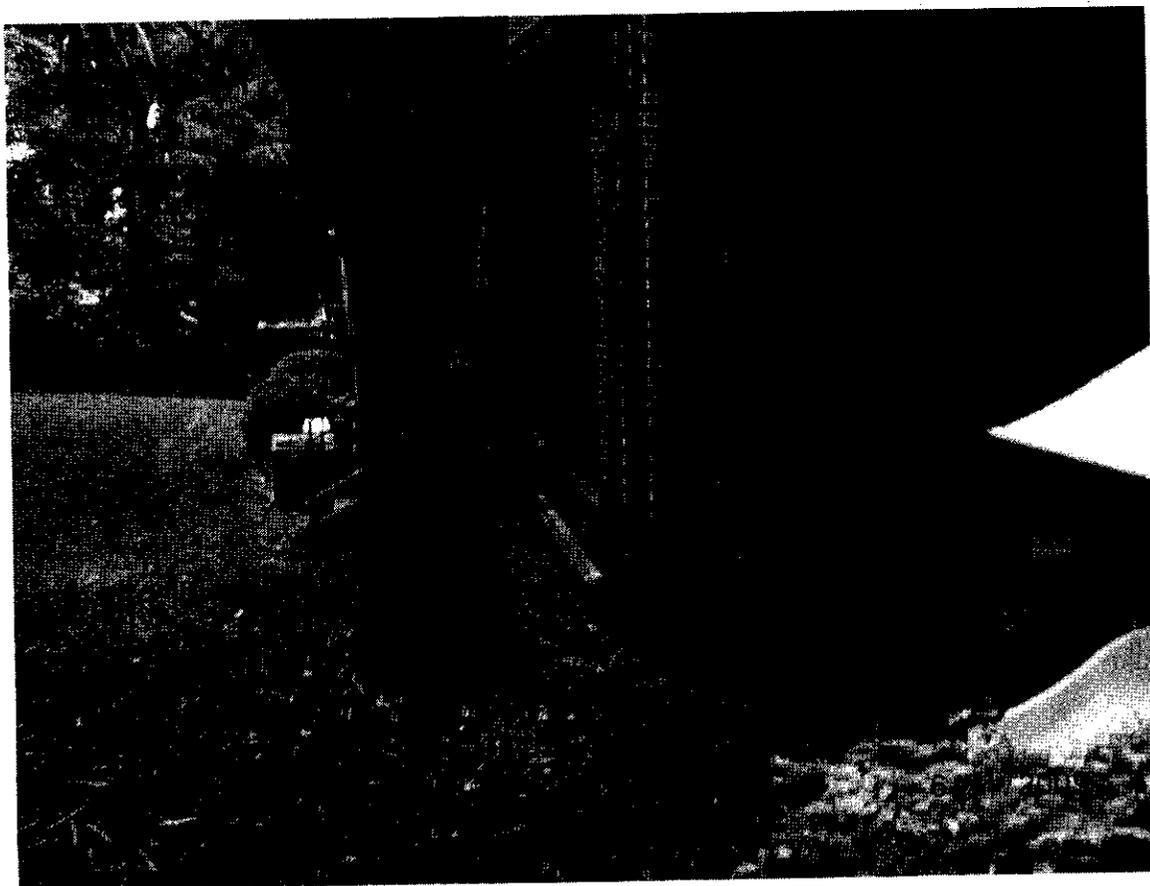
**Position 13**



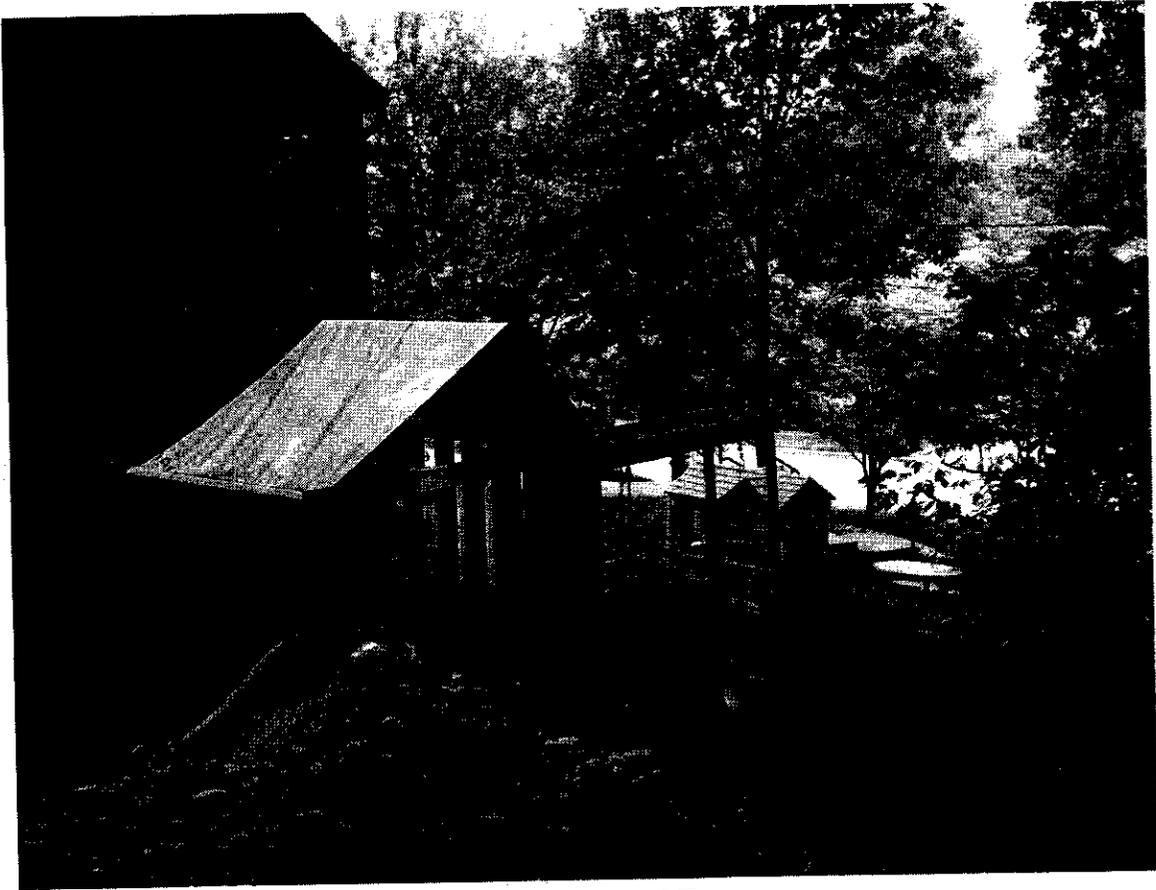
**Position 14**



**Position 15**



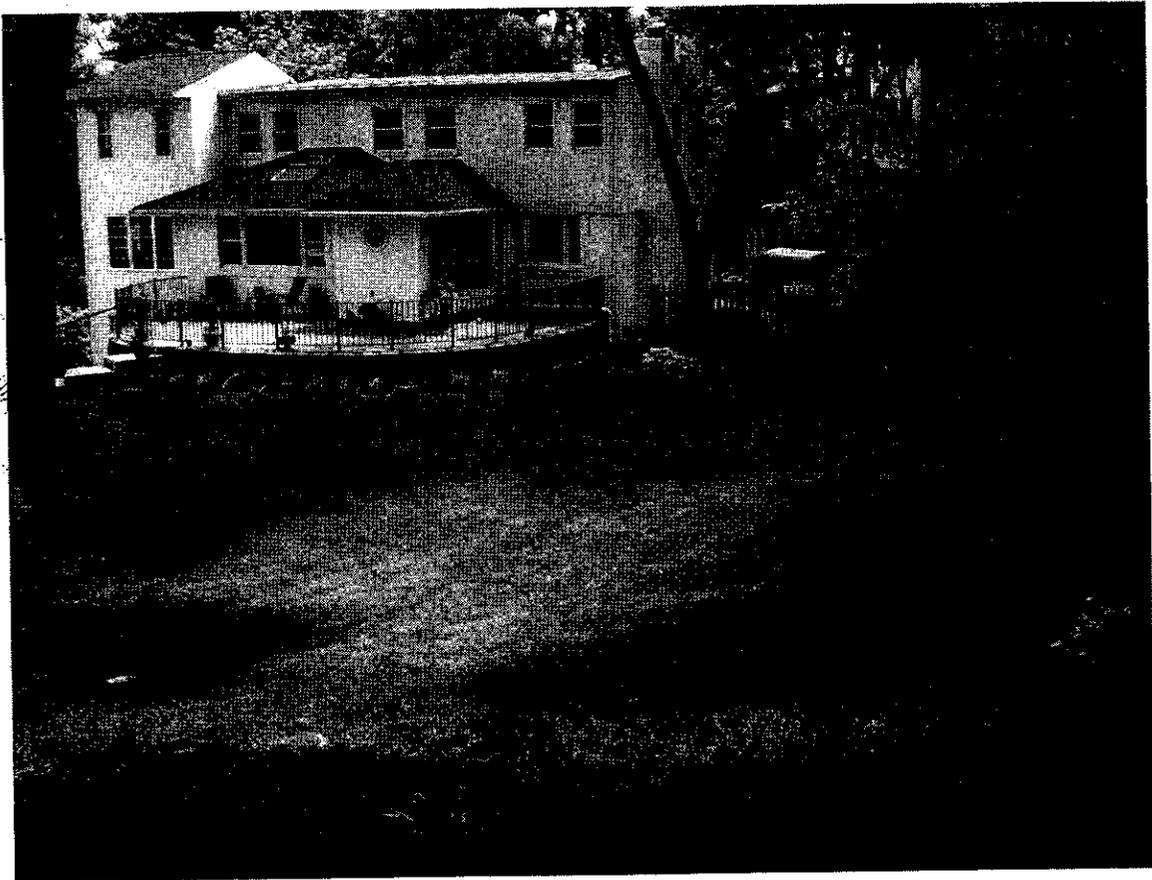
**Position 16**



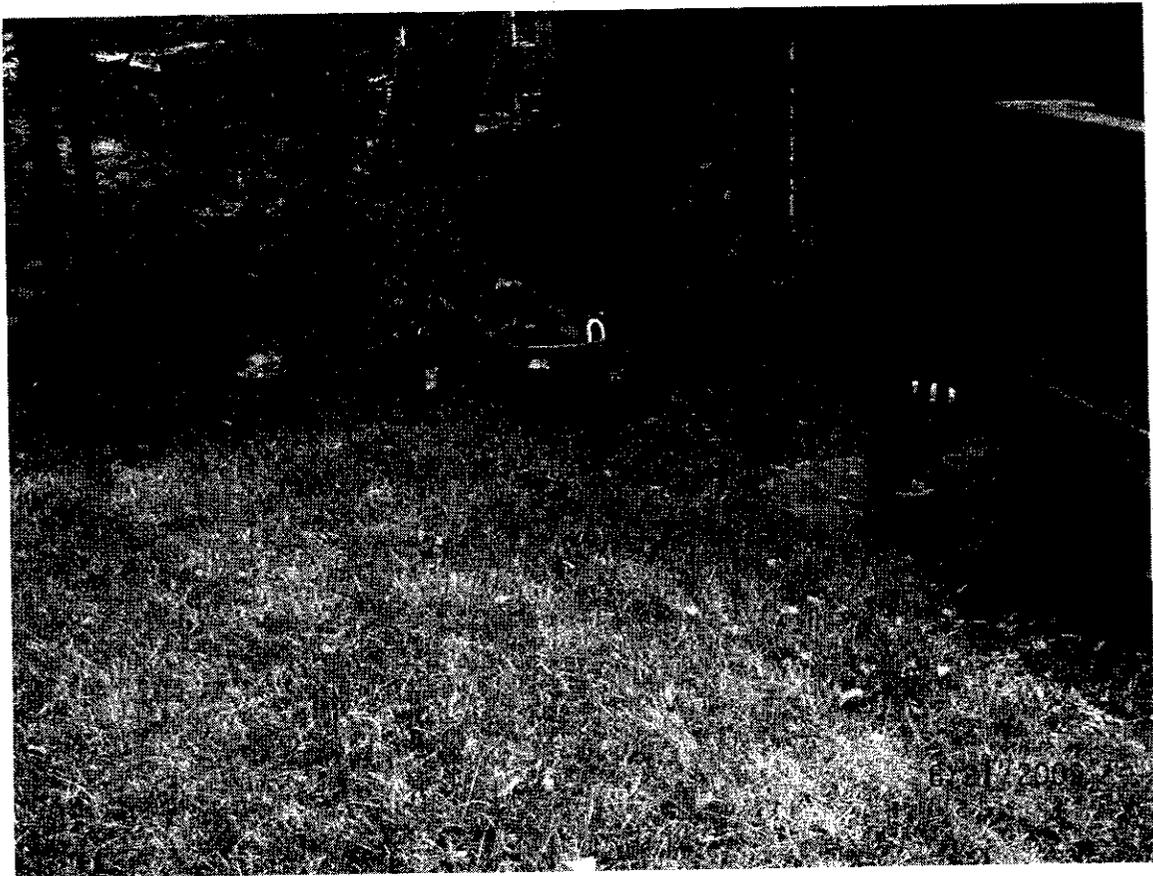
**Position 17**



**Position 18**



**Position 19**



**Position 20**



**Position 21**



**Position 22**



**Position 23**

**DESCRIPTION OF THE APPLICATION**

The applicant seeks a reduction of certain yard requirements to permit construction of a one story garage 6.0 feet from the western side lot line. The detached garage is proposed 12.5 feet from the rear lot line which is the minimum yard required for a detached structure 12.5 feet in height. The proposed garage will be no greater than 12.3 feet in height.

	<b>Structure</b>	<b>Yard</b>	<b>Min. Yard Required *</b>	<b>Proposed Location</b>	<b>Proposed Reduction</b>	<b>Percent of Reduction Requested</b>
<b>Special Permit</b>	Detached Garage	Side	12 feet	6 feet	6 feet	50 %

\* Minimum yard requirement per Section 10-104

**LOCATION AND CHARACTER**

**Existing Site Description**

The site is currently zoned R-3 and contains a two story with basement single family detached dwelling which was constructed in 1977. The lot consists of 10,759 square feet and has significant changes in topography throughout the property. There is significant vegetation and many significant trees in the side and rear yards of the property; however they will not be affected by the proposed construction. The subject property is surrounded by single family detached homes on all sides. There is an existing shed greater than 8.5 feet in height located within the minimum required side and rear yard; however, the structure is proposed to be removed per the special permit plat. There is also an existing arbor located within the minimum required side yard that is also proposed for removal per the special permit plat. Aerial Imagery is provided in appendix 4 to show the subject and surrounding properties.

**Character of the Area**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-3	Single Family Detached Dwellings
<b>South</b>	R-3	Single Family Detached Dwellings
<b>East</b>	R-3	Single Family Detached Dwellings
<b>West</b>	R-3	Single Family Detached Dwellings

## ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Special Permit Plat, Lot 46, Section 2, Kent Gardens
- **Prepared By:** L.S. Whitson, Sam Whitson Land Surveying, Inc., dated September 10, 2009.

### Proposal

The applicant wishes to construct a one story, detached one-car garage on the subject property. The structure is proposed to have a footprint of 12 ft. by 20 ft. (240 square feet in size) and will be 12.3 feet in height. The proposed detached garage will have a gable roof with no overhang and will be constructed with siding which is similar to the siding present on the second floor of the existing dwelling.

### BACKGROUND

The Board of Zoning Appeals (BZA) has heard no similar applications in the vicinity of the subject property.

### ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provisions for Reduction of Certain Yard Requirements (Sect. 8-922)

#### **Sect. 8-006 General Special Permit Standards**

Staff believes that the application meets all of the 8 General Special Permit Standards with notes regarding standard 3.

General Standard 3 requires that the proposed uses be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes that the special permit application satisfies this condition based the fact that there are other similar detached garages in the neighborhood; there is screening provided to adjacent properties from the significant amount of vegetation and trees on the subject property. Also, the proposed structure will be placed in conjunction with an existing driveway. Appendix 4 contains aerial imagery which shows the screening as well as neighboring properties.*

#### **Sect. 8-922 Provisions for Reduction of Certain Yard Requirements**

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission.

Standard 4 relates to additions, which does not apply to this application. Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 5, 6, 7, 8, and 9.

*Standard 5 states that the resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site. The proposed detached garage will be 240 square feet in area and 12.3 feet in height. The existing dwelling is 2,908 square feet in area and 20 feet in height; therefore staff believes that the application meets this provision.*

*Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The proposed detached garage will abut an existing driveway and will only be 12.3 feet in height and 240 square feet in size. The existing dwelling is two stories in height and a detached garage will not be taller than the existing dwelling. Staff believes the proposed detached garage will not be out of character with existing on-site development in terms of height and bulk respectively.*

*Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the director. The proposed detached garage will not adversely affect the neighboring properties due to the small size and scope. There will be no harm to significant trees on the subject property or the neighboring property. The detached garage is proposed in an area where an existing shed and arbor are currently located. However, the detached garage will actually be further from the side lot line than these structures currently are which creates lesser of an impact to the existing trees, vegetation and the most adjacent neighbor to the west. Therefore, staff believes the application satisfies this standard.*

*Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. No downstream complaints have been indicated by Department of Public Works and Environmental Services (DPWES) and there is a minimal increase of impervious area due to the proposed garage being of a small size and scope and being constructed adjacent to an existing driveway and where some existing structures are located. An existing shed and arbor will be removed, so the net increase in impervious surface is minimal. Therefore, staff believes that the proposed structure will not have any adverse impact on neighboring properties.*

*Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains*

and/or Resource Protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. *The proposed location of the detached garage is the most logical given that there is an existing driveway which runs directly to it. On the eastern side of the lot where a detached garage could potentially be located, there is a significant change of topography as well as a number of trees which would need to be removed in order to accommodate such a structure as well as relocation of the existing driveway. Therefore, staff believes the garage is proposed in the most logical location on the lot. There are no floodplains or Resource Protection Areas on the subject property and no trees will be removed to construct the garage.*

## **CONCLUSION**

Staff believes that the subject application for the detached garage is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

## **RECOMMENDATION**

Staff recommends approval of special permit application SP 2010-DR-019 for the detached garage subject to the proposed development conditions contained in Appendix 1 of the staff report.

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Aerial Imagery of Neighborhood
5. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2010-DR-019****May 12, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2010-DR-019 located at Tax Map Number 40-2 ((21)) 46 (6603 Jerry Place), to permit reduction of certain yard requirements pursuant to 8-922 of the Fairfax County Zoning Ordinance, staff recommends the Board condition the approval by requiring conformance with the following development conditions.

1. This special permit is approved for the location and size of a detached garage as shown on the plat prepared by L.S. Whitson, Sam Whitson Land Surveying, Inc., dated September 10, 2009 submitted with this application and is not transferable to other land.
2. The accessory structure shall be consistent with the architectural renderings and materials included in Attachment 1 to these conditions.
3. Prior to approval of the final inspection for the garage, the frame shed including the foundation/flooring and the existing arbor shall be removed.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**GENERAL NOTES:**

**GARAGE: Per Plans**

Construct a 360' s.f. garage, gable style roof, approximately 22' x 16', per plans. Permits have been included.

\*\* We assume existing house foundation, walls and roof are sound and will require no structural reworking.

Excavate ground to accept new 16' x 22' garage at the end of the driveway.

Spread dirt from excavation around rear of yard and spread grass seed. No hauling of dirt off the premises. No additional landscaping has been included.

Four a new 16' x 22' slab with turn down footers. Slab to be 5" thick over 4" of gravel with 6" x 6" wire mesh.

Exterior walls to be 2" x 4" 16" on center with sheathing frame and install 1 garage car door and 1 steel half light entry door with lockset.

Frame and install 1 vinyl double hung 32" wide by 52" tall field vently.

Truss roof 2' on center with 6/12 pitch field vently with sheathing.

Install new garage car door: entry door (Stanley) and (1) window.

Garage car door model #1945 with door opener and two transmitters.

Install new 25 year shingle over 30# felt shingle to blend with the house shingles. Includes ice and snow shield and drip edge.

Trim the exterior with vinyl siding, soffit, fascia, rake molding around trim around window and doors.

New white standard 5" gutters and downspouts.

83 interior outlets.

81 light/outlet combination on garage door opener and (2) transmitters for the garage door.

Install (1) owner supplied light on outside of exterior entry door.

82 new 20 amp dedicated electrical circuits buried under ground.

**GENERAL NOTES:**

**DRAWING INDEX:**

SHEET	DESCRIPTION:
1	COVER SHEET
2	EXISTING PLANS/ELEVATIONS
3	PROPOSED PLAN
4	PROPOSED ELEVATION VIEWS
5	FOUNDATION PLAN
6	FRAMING PLAN
7	WALL FRAMING
8	ROOF FRAMING
9	DETAILS
10	ELECTRICAL
10	TOTAL NUMBER OF SHEETS

THIS PROJECT IS TO COMPLY WITH THE 2006 VIRGINIA RESIDENTIAL CODE.

RECEIVED  
 Department of Planning & Zoning  
 NOV 04 2009  
 Zoning Evaluation (221000)

THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN/REMODELING, INC. SOLELY FOR ITS USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.

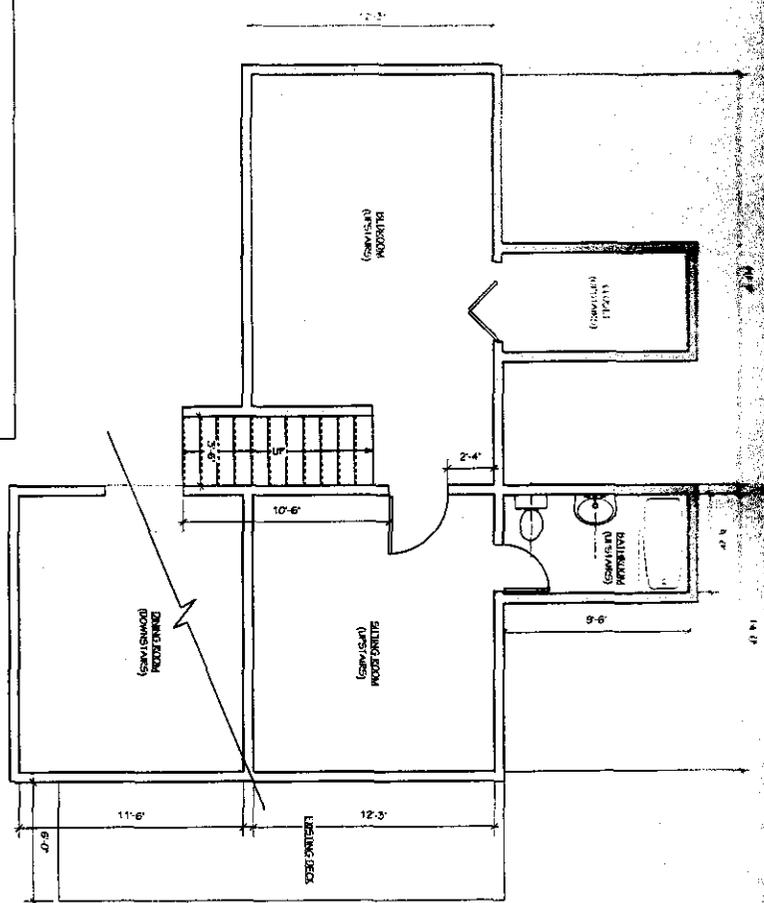
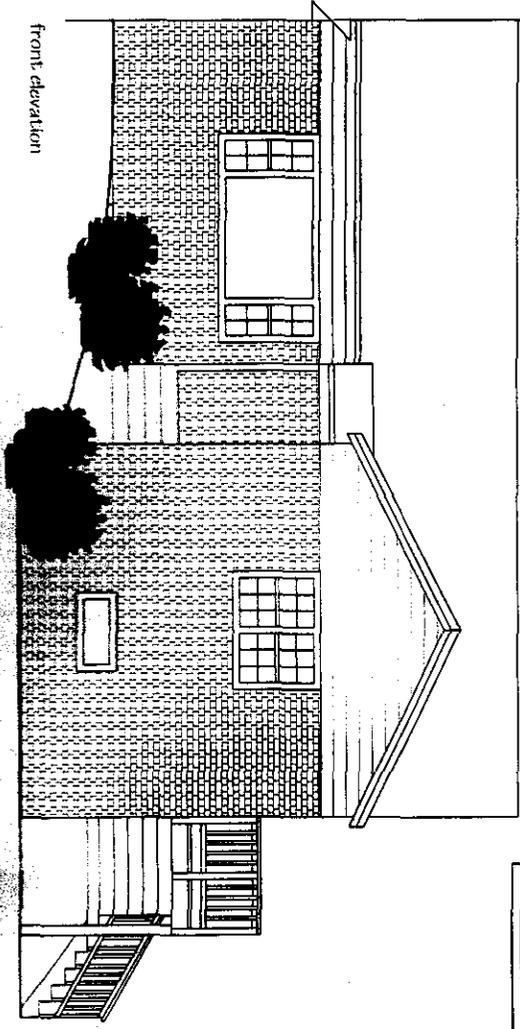


13501 Commonwealth  
 Suite 200  
 Fairfax, VA 22031  
 410-364-1300  
 410-364-1300  
 410-364-1300

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DATE	DESCRIPTION
01-16-09	ISSUED
01-22-09	P.A. REVIEWED
03-27-09	CONTRACT SIGNATURES
07-01-09	OWNER SIGNATURES

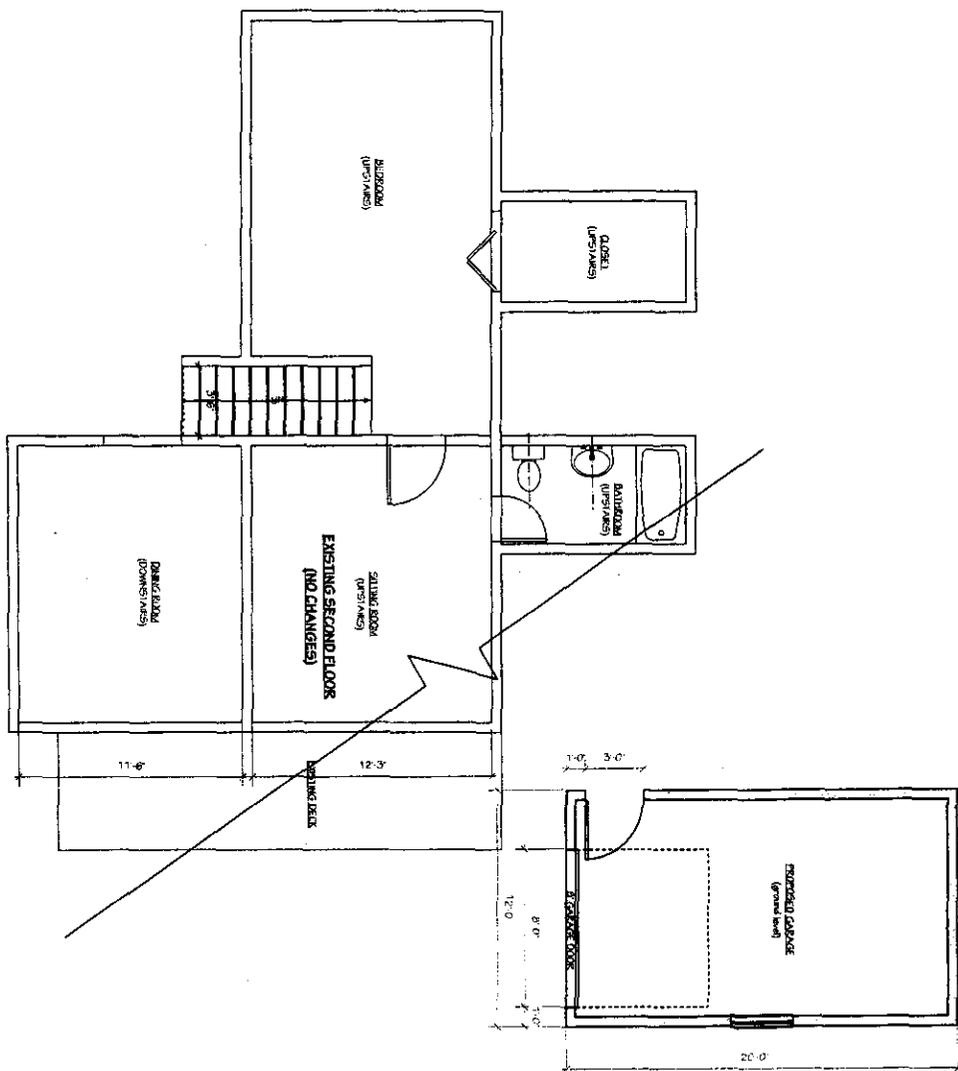
PROJECT NUMBER	1-091733
DATE	07-16-09
SCALE	AS NOTED
DATE	04-29-09
1 of 10	



**FISHER RESIDENCE  
6603 JERRY PLACE  
MCLEAN, VA 22101**

<p><b>Case</b> Architectural Firm, Inc.</p>	<p>1400 Connecticut Ave. Bethesda, MD 20814 301-271-4400 (301) 770-1100 Fax: 301-271-4401</p>	<p>14501 C Shepherd Ave. Falls Church, VA 22044 703-541-7800 (703) 534-1007 703-541-7801 (703) 534-1008</p>	<p>1011 E. Broad Street, Suite 108 Arlington, VA 22202 410-849-1300 (410) 848-8135</p>
<p><b>PROJECT NAME</b> Fisher Residence</p>	<p><b>DATE</b> 01-18-05</p>	<p><b>DESIGNED BY</b> F.A. Delaney</p>	<p><b>DATE</b> 01-18-05</p>
<p><b>PROJECT NUMBER</b> 14891723</p>	<p><b>SCALE</b> 1/4" = 1'</p>	<p><b>DATE</b> 02-27-05</p>	<p><b>DATE</b> 02-27-05</p>

2 of 10



ALL PLANS HAVE BEEN PREPARED BY CASE DESIGN/REMODELING, INC. SOLELY FOR YOUR USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.



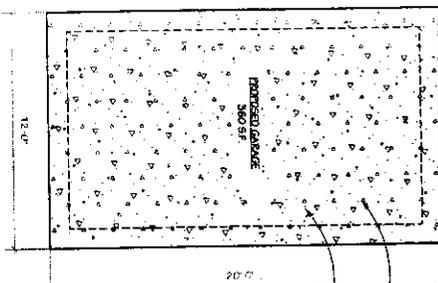
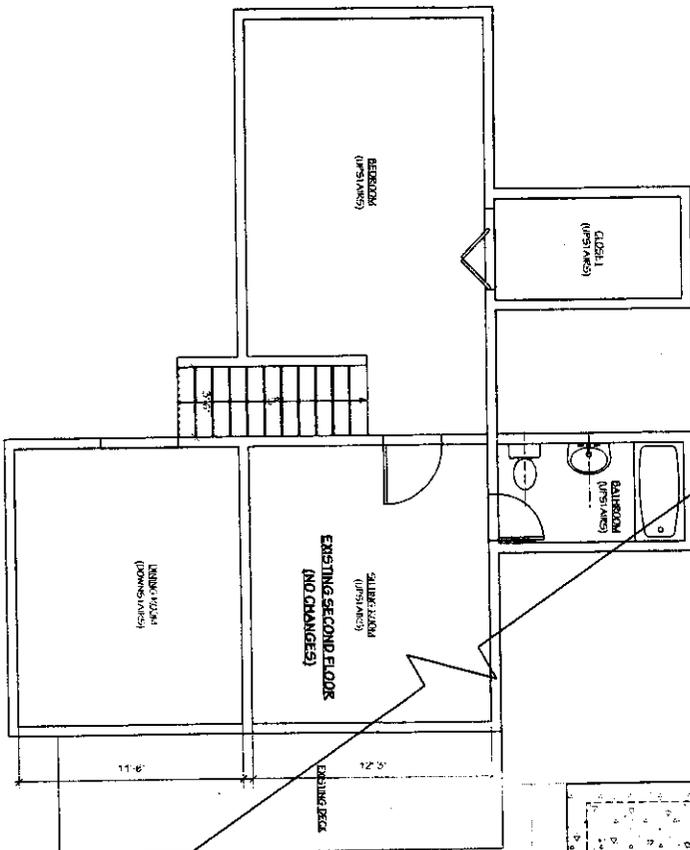
**Case Design/Remodeling, Inc.**  
 4701 Sappington Road  
 Suite 100  
 Richmond, VA 23228  
 800.328.4600 (800.328.3196)  
 703.241.9900 (703.241.9907)  
**Landmark**  
 701 Park Avenue  
 Suite 211  
 Richmond, VA 23220  
 703.241.9900 (703.241.9907)  
**Old Dominion**  
 14301 S. Lakeside Circle  
 Chesapeake, VA 23030  
 703.803.2775 (703.803.8927)  
**Assessors**  
 1511 E. Lake Highway, Suite 1018  
 Norfolk, VA 23502  
 410-248-2222 (410.248.1335)

**FISHER RESIDENCE  
 6603 JERRY PLACE  
 MCLEAN, VA 22101**

DESCRIPTION	DATE
PRELIMINARY	01-18-07
PERMITS	01-18-07
CONTRACT DRAWINGS	02-27-07
FINAL DRAWINGS	03-02-07

**PROJECT MANAGER** 146917123  
**ARCHITECT/OWNER REPRESENTATIVE** DR. ORLANDO  
**OWNER** JERRY FISHER  
**PROJECT ADDRESS** 6603 JERRY PLACE, MCLEAN, VA 22101  
**SCALE** AS NOTED **DATE** 04-23-08  
**AS NOTED**





Foundation plan for second floor. 10' x 12' garage in front of driveway. 10' x 12' deck from existing second floor of yard and existing garage. Total area of 10' x 12' (120 sq ft).

For a more 1/4" = 1' scale with 1/4" = 1' scale. 1/4" = 1' scale. 1/4" = 1' scale.

1/4" = 1'

THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN MODELING, INC. SOLELY FOR YOUR USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.



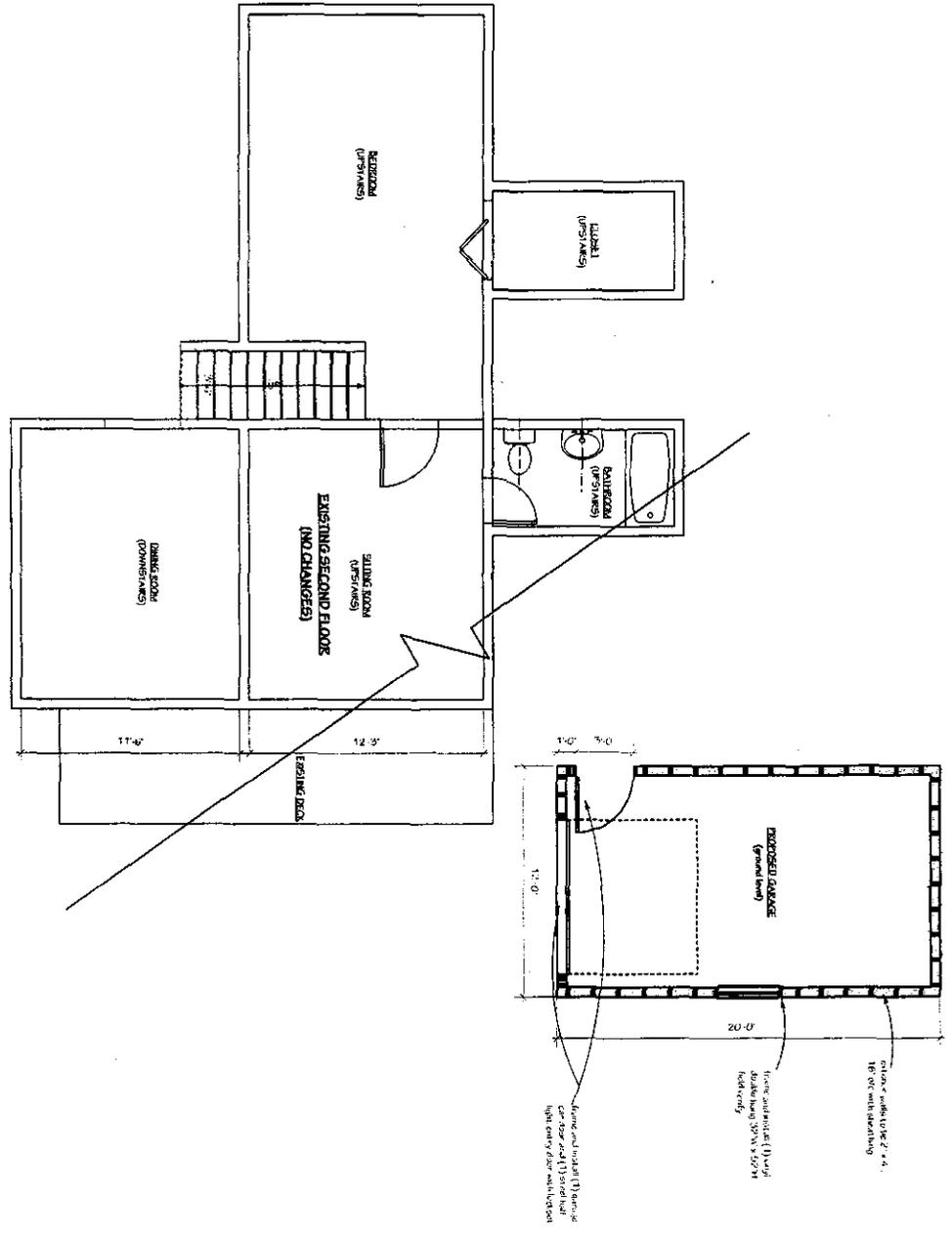
15111 Rockledge Drive, Suite 1018  
 Rockledge, FL 32955  
 407-598-1133  
 407-598-1134  
 407-598-1135

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DESCRIPTION	DATE
FOUNDATION LAYOUT	01-18-09
FOUNDATION LAYOUT	01-20-09
FOUNDATION LAYOUT	02-27-09
FOUNDATION LAYOUT	03-06-09

PROJECT NUMBER: 14201723  
 PROJECT NAME: FISHER RESIDENCE  
 PROJECT ADDRESS: 6603 JERRY PLACE, MCLEAN, VA 22101  
 PROJECT CONTACT: [Name Redacted]  
 PROJECT PHONE: [Phone Redacted]

SCALE: AS SHOWN  
 DATE: 04/29/09  
 5 or 10



THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN/REMODELING, INC. SOLELY FOR ITS USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES

**CASE**  
DESIGN/REMODELING, INC.

14501 Lee Road  
Suite 100  
McLean, VA 22101  
703.228.4600 (T) 703.282.3186  
703.228.4600 (F) 703.282.3186

7017 Lee Road  
Suite 100  
McLean, VA 22101  
703.241.2800 (T) 703.241.6007  
703.241.2800 (F) 703.241.6007

14501 Lee Road  
Suite 100  
McLean, VA 22101  
703.228.4600 (T) 703.282.3186  
703.228.4600 (F) 703.282.3186

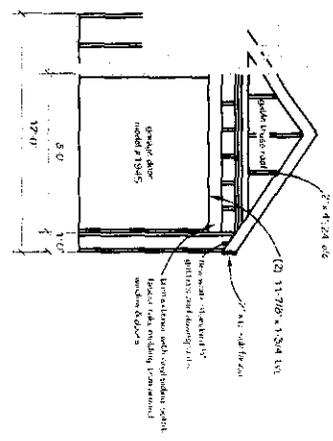
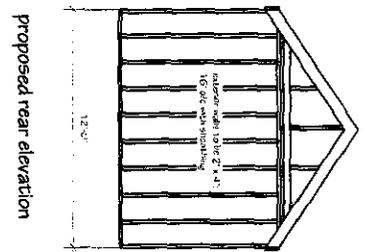
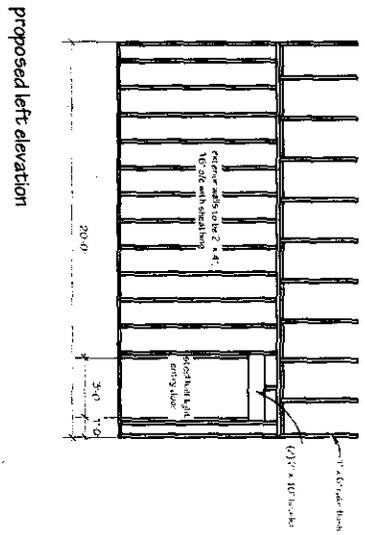
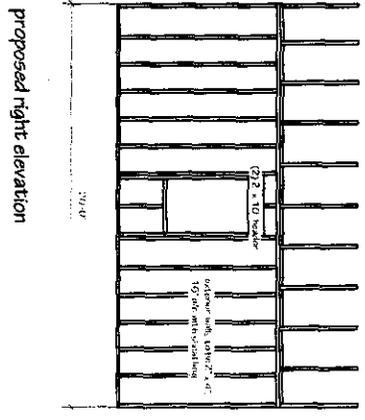
15111 Rockwood Highway, Suite 101 B  
McLean, VA 22101  
410.548.4150 (T) 410.548.4155

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DESCRIPTION	DATE
PREPARED	01-18-09
REVISED	01-20-09
CONTRACT SIGNED	02-27-09
PERMIT SIGNED	03-02-09

PROJECT NUMBER: 14991723  
 CONTRACTOR: BOB ORTNER  
 ADDRESS: 6603 JERRY PLACE, MCLEAN, VA 22101  
 PROJECT TYPE: REMODEL  
 DATE: 04-29-08  
 SCALE: AS SHOWN

6 OF 10  
 12 1987 10/2



THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN/ARCHITECTURE, INC. SOLELY FOR THE USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES

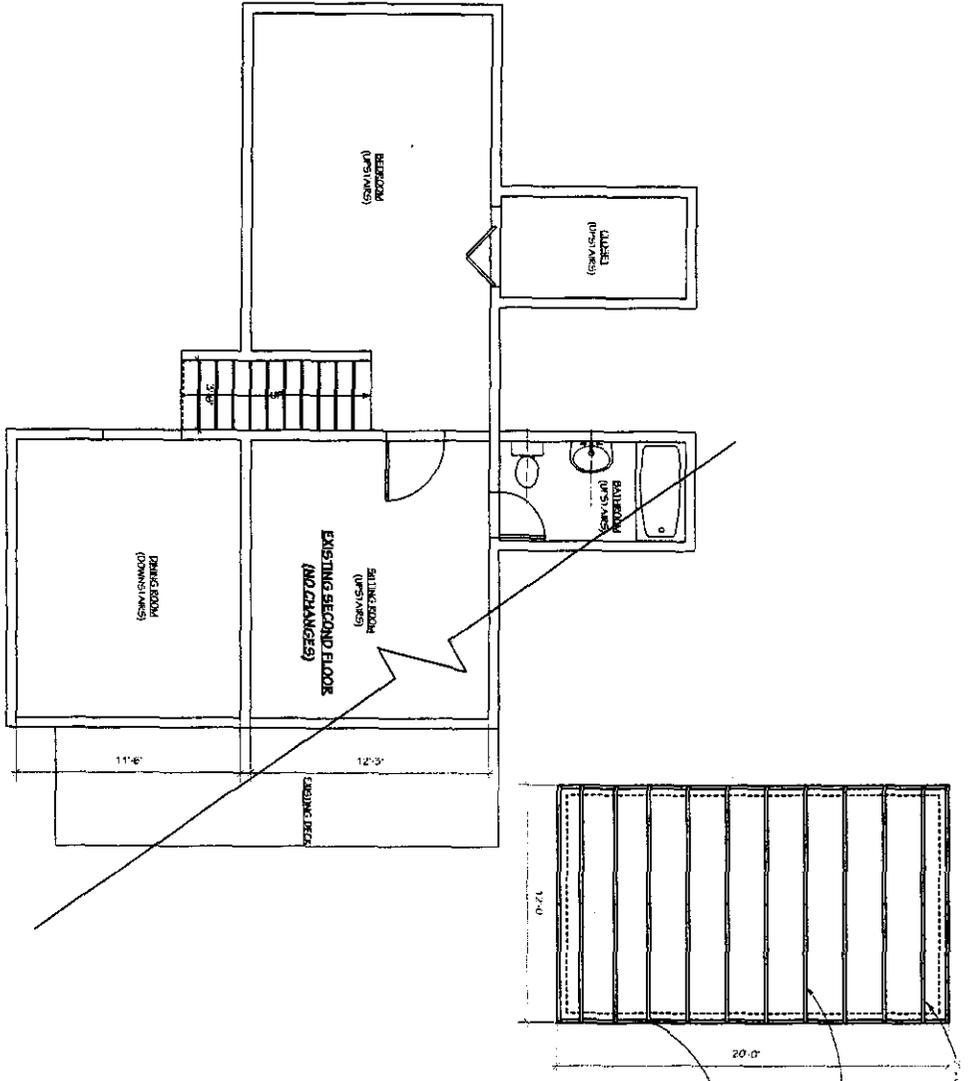


4701 ...  
 301 ...  
 144 ...  
 703 ...  
 1311 ...  
 410 ...

**FISHER RESIDENCE**  
**6603 JERRY PLACE**  
**MCLEAN, VA 22101**

DRAWING DATE	DATE
1/15/09	01/15/09
2/23/09	02/23/09
05/22/09	05/22/09
10/01/09	10/01/09

SCALE: 1/4" = 1'  
 DATE: 04/29/09  
 7 of 10

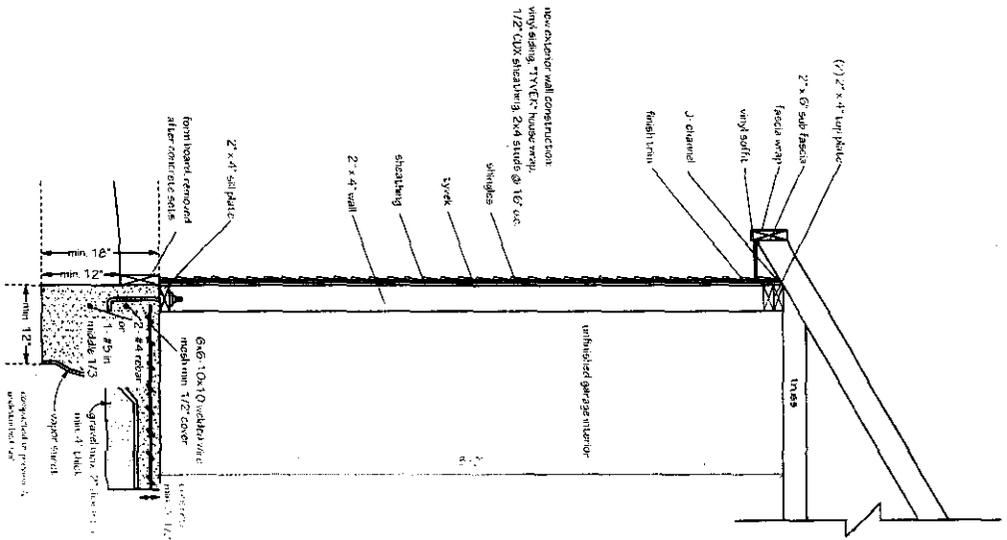


Notes:  
 1. Roof deck 20'-0\"/>

THESE PLANS HAVE BEEN PREPARED BY CASE DEMONSTRATION, INC. SOLELY FOR ITS USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.

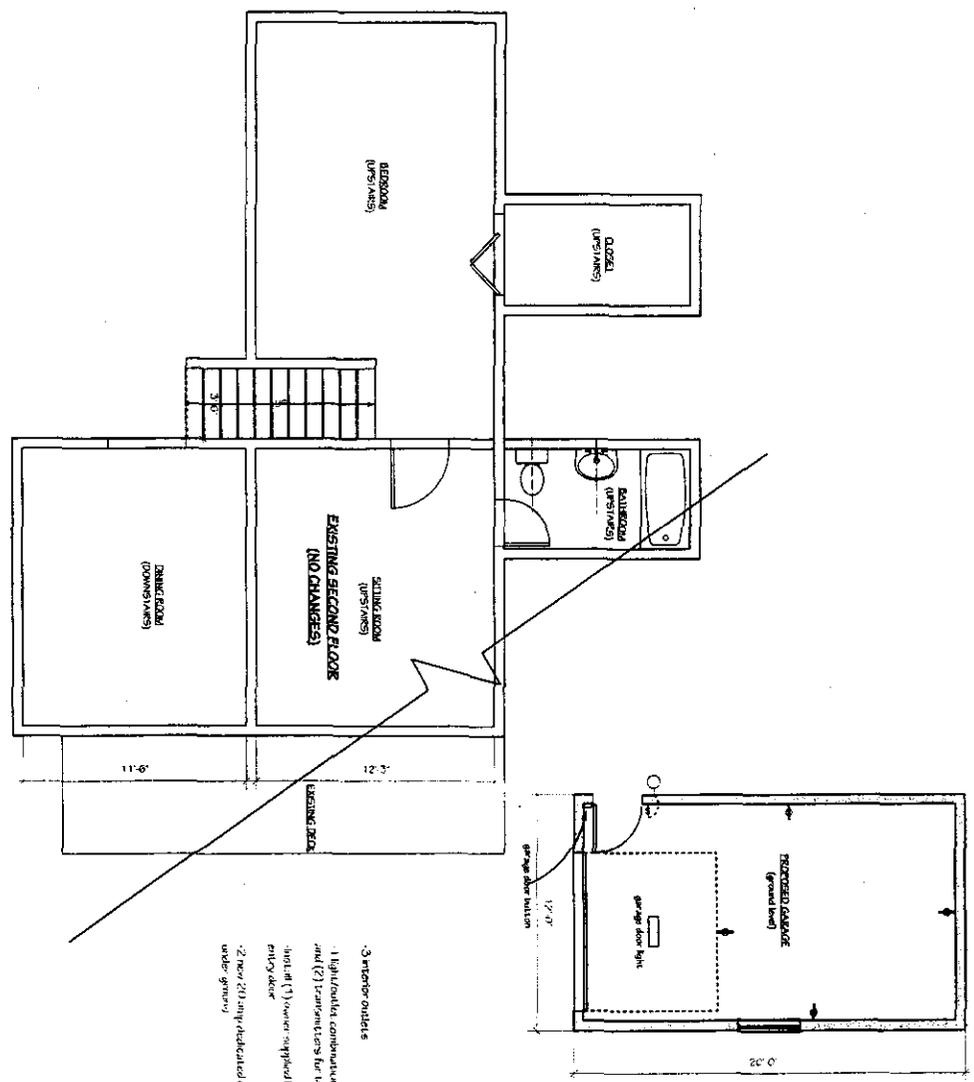
		<b>FISHER RESIDENCE</b> <b>6603 JERRY PLACE</b> <b>MCLEAN, VA 22101</b>	
<b>REVISIONS</b> NO. DATE DESCRIPTION 01 01-19-08 02 02-27-08 03 02-28-08	<b>DATE</b> 01-19-08	<b>CLIENT</b> Fisher Residence	<b>DATE</b> 01-19-08
<b>PROJECT</b> 6603 Jerry Place	<b>DATE</b> 01-19-08	<b>CLIENT</b> Fisher Residence	<b>DATE</b> 01-19-08
<b>SCALE</b> AS NOTED	<b>DATE</b> 01-19-08	<b>CLIENT</b> Fisher Residence	<b>DATE</b> 01-19-08
<b>SCALE</b> 1/4" = 1'	<b>DATE</b> 01-19-08	<b>CLIENT</b> Fisher Residence	<b>DATE</b> 01-19-08

8 of 10  
 11/20/14



THESE PLANS HAVE BEEN PREPARED BY CASE DESIGN/MODELING, INC. SOLELY FOR ITS USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES.

		<p><b>FISHER RESIDENCE</b>  <b>6603 JERRY PLACE</b>  <b>MCLEAN, VA 22101</b></p>	
<p>DATE: 01-16-09          BY: J. J. [unreadable]          CHECKED: J. J. [unreadable]          CONTRACT NUMBER: 02-77-09          PROJECT NUMBER: 03-02-09</p>	<p>DATE: 01-16-09          BY: J. J. [unreadable]          CHECKED: J. J. [unreadable]          CONTRACT NUMBER: 02-77-09          PROJECT NUMBER: 03-02-09</p>	<p>PROJECT NUMBER: 03-02-09          DRAWING NUMBER: DWG. 07-09          SCALE: AS NOTED          DATE: 08-28-09</p>	<p>9 of 10</p>



- 3- in-floor outlets
- 1- light fixture, combination garage door opener and (2) transmitters for the garage door
- install (1) power supplied light on outside of entrance entry door
- 2- new (2) 20 amp dedicated electric circuits located under garage

THESE PLANS HAVE BEEN PREPARED BY CASE REMODELING, INC. SOLELY FOR ITS USE AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTIES



**Case Remodeling, Inc.**  
 4701 Sapperton Road  
 Norfolk, VA 23504  
 757-241-2000  
 757-241-2001  
 757-241-2002  
 757-241-2003  
 757-241-2004  
 757-241-2005  
 757-241-2006  
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 757-241-2014  
 757-241-2015  
 757-241-2016  
 757-241-2017  
 757-241-2018  
 757-241-2019  
 757-241-2020

**FISHER RESIDENCE  
 6603 JERRY PLACE  
 MCLEAN, VA 22101**

ISSUING LOG	DATE
7. A. APPROVAL	01.18.09
CONTRACT SIGNATURE	02.27.09
OWNER SIGNATURE	03.05.09

PROJECT NUMBER	14381723
PROJECT NAME	DISC SERVICE
PROJECT ADDRESS	6603 JERRY PLACE MCLEAN, VA 22101
PROJECT CONTACT	Case Remodeling, Inc.
SCALE	AS SHOWN
DATE	04.29.09

10 of 10

Application No.(s): SP 2010-DR-09  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 11/4/09  
(enter date affidavit is notarized)

I, David Keys, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)       applicant  
                          applicant's authorized agent listed in Par. 1(a) below      106620

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Jonathan Fisher	6603 Jerry pl. McLean, VA 22101	Applicant/Title Owner
Alexis R Fisher	6603 Jerry pl. McLean, VA 22101	Applicant/Title Owner
David Keys	14000 Westbrook pl. Chantilly, VA 20151	Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2010-DR-019  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 11/4/09  
(enter date affidavit is notarized)

106620

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

NONE

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

NONE

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2010-DR-019  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 11/4/09  
(enter date affidavit is notarized)

106620

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

NONE

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

NONE

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2010-DR-019

(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

11/4/09

(enter date affidavit is notarized)

106620

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No(s): SP 2010 DR-019  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 11/4/09  
(enter date affidavit is notarized)

106620

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[Signature]

[ ] Applicant

Applicant's Authorized Agent

David J Keys

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 04 day of November 2009, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: March 31, 2012

[Signature]  
Notary Public



Application No.(s) \_\_\_\_\_

Page 1 of 4

**Jonathan Fisher**  
**Alexis R. Fisher**  
 6603 Jerry Pl.  
 McLean, VA 22101

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 Department of Planning & Zoning

MAR 03 2010

Zoning Evaluation Division  
 Fairfax County  
 Department of Planning and Zoning  
 12055 Government Center Parkway  
 Suite 801  
 Fairfax, VA 22035

Zoning Evaluation Division

October 8, 2009

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## Statement of Justification

We are proposing to build a detached, twelve foot by twenty foot, one car garage at the top of our existing driveway. This location on our lot will encroach the R-3 set backs that our lot is zoned for. This statement is to address the required information

**The following is required information from page 14 of the statement of justification guidelines from the special permit application package that are not applicable to our project.**

- A. Type of operation(s)
- B. Hours of operation
- C. Estimated number of patrons/clients/patients/pupils/etc.
- D. Proposed number of employees/attendants/teachers/etc.
- E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day
- F. Vicinity or general area to be served by the use

**The following is required information from page 14 of the statement of justification guidelines from the special permit application package.**

- G. The proposed garage will consist of the following exterior finishes: vinyl siding, wood trim, asphalt shingles, one steel garage door, one steel entry door, and one window. The new garage is designed to blend in with the neighborhood architecture.
- H. There are no hazardous or toxic substances to be generated, utilized, stored, treated, and or disposed of on site.

**Jonathan Fisher**  
**Alexis R. Fisher**  
6603 Jerry Pl.  
McLean, VA 22101

Zoning Evaluation Division  
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October 8, 2009

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## Statement of Justification

**The following information address requirement (I) from page 14 of the statement of justification guidelines from the special permit application package.**

We are asking that the side and rear setbacks required by the R-3 zoning be reduced to accommodate our proposed garage project. We have considered every possible location in an effort to avoid encroaching the set back requirements. Due to the shape and extreme grade of our lot and the design of our home, there are no other feasible locations for a garage. We have considered both, attached and detached options.

The proposed location is not easily viewed from the street and it is not directly adjacent to any neighbor's homes.

**The current and proposed setbacks are as follows:**

Location	existing setback	proposed setback	distance of encroachment
Front Yard	30'	30'	0'
Side Yard	12'	6'	6' (50% encroachment)
Rear Yard	25'	10'4"	14'8" (50% encroachment)

**Jonathan Fisher**  
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October 8, 2009

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## Statement of Justification

### Applicable Ordinance 8-922

1. Only the following yard requirements shall be subject to such a special permit:

- A. Not Applicable
- B. Not Applicable

C. Accessory structure location requirements set forth in sect. 10-104.

**Our Proposal meets these requirements**

D. Not Applicable

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

**Our Proposal meets this requirement**

3. This permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.

**Our Proposal meets this requirement**

4. The Existing structure has a gross floor area of 2,908 square feet. The proposed structure has a gross floor area of 240 square feet. The new total gross floor area will be 3,148 square feet. This proposal is well within the requirement.

**Jonathan Fisher**  
**Alexis R. Fisher**  
6603 Jerry Pl.  
McLean, VA 22101

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Fairfax County  
Department of Planning and Zoning  
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Suite 801  
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October 8, 2009

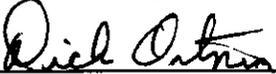
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## Statement of Justification

### Applicable Ordinance 8-922 (continued)

5. Pending BZA approval. (Please item "4" for area calculations.)
6. Pending BZA approval. (Please see item "G" on page 1.)
7. Pending BZA approval. (However the proposed structure is harmonious with the surrounding area. We will not be removing or disturbing any existing vegetation and will not harm any significant trees.)
8. Pending BZA approval. (Please see paragraph 3 on page 4. )
9. Pending BZA approval. (Please see paragraph 2 on page 2.)
10. Pending BZA approval.
11. Plat plans have been provided that meet this requirement.
12. Architectural depictions have been included that meet this requirement.

**I, Case Design/Remodeling, Inc. rep. Dick Ortner (agent) do hereby state that as the acting agent that the information in this statement is true to the best of my belief and knowledge**

  
**(Case Design/Remodeling, Inc. rep. Dick Ortner (agent))**

Date: 3/3/10

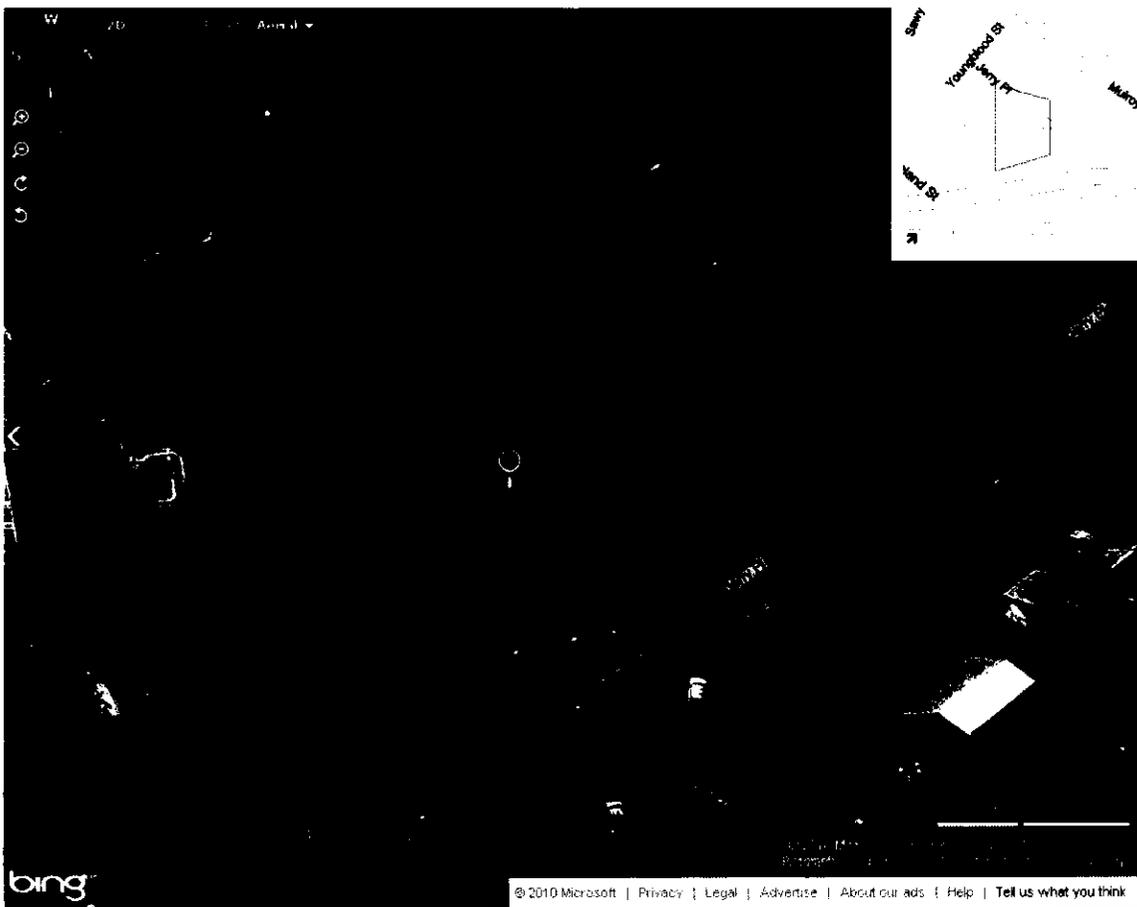
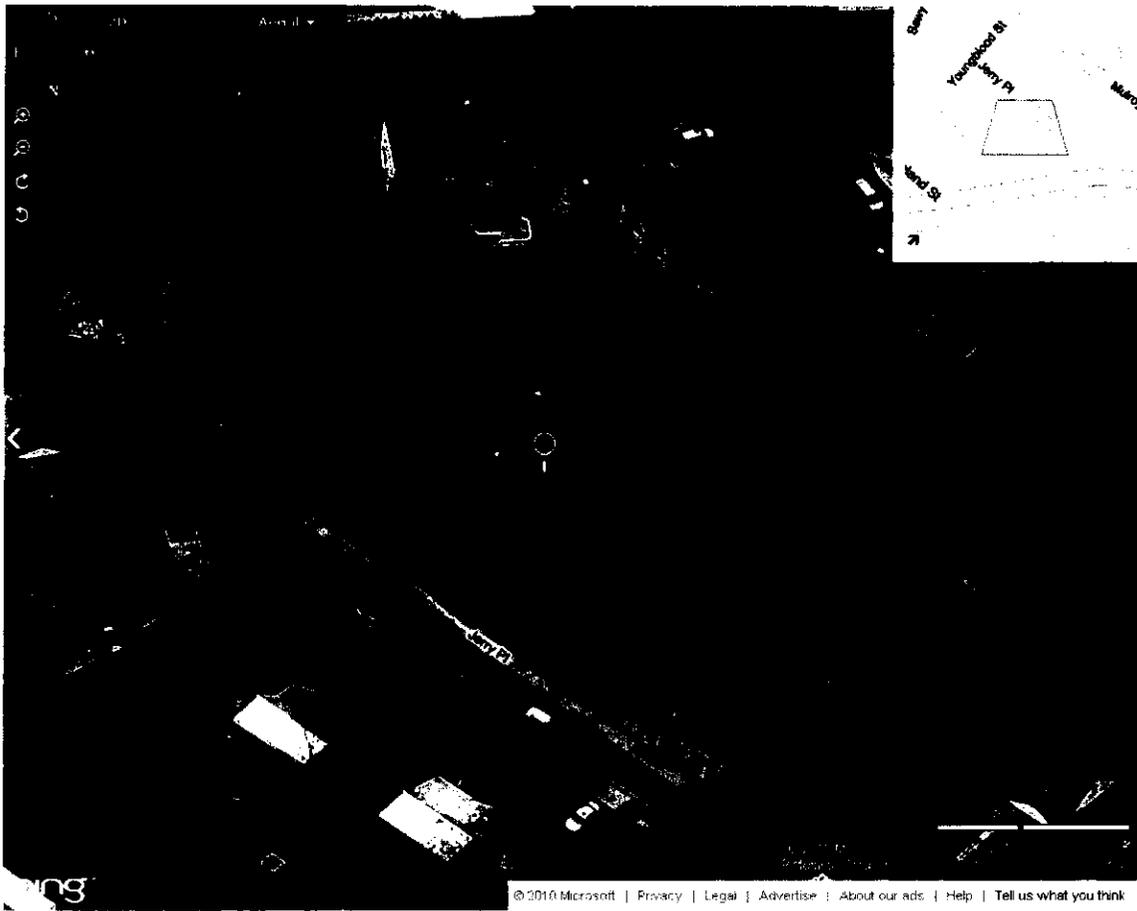
## Statement of Justification

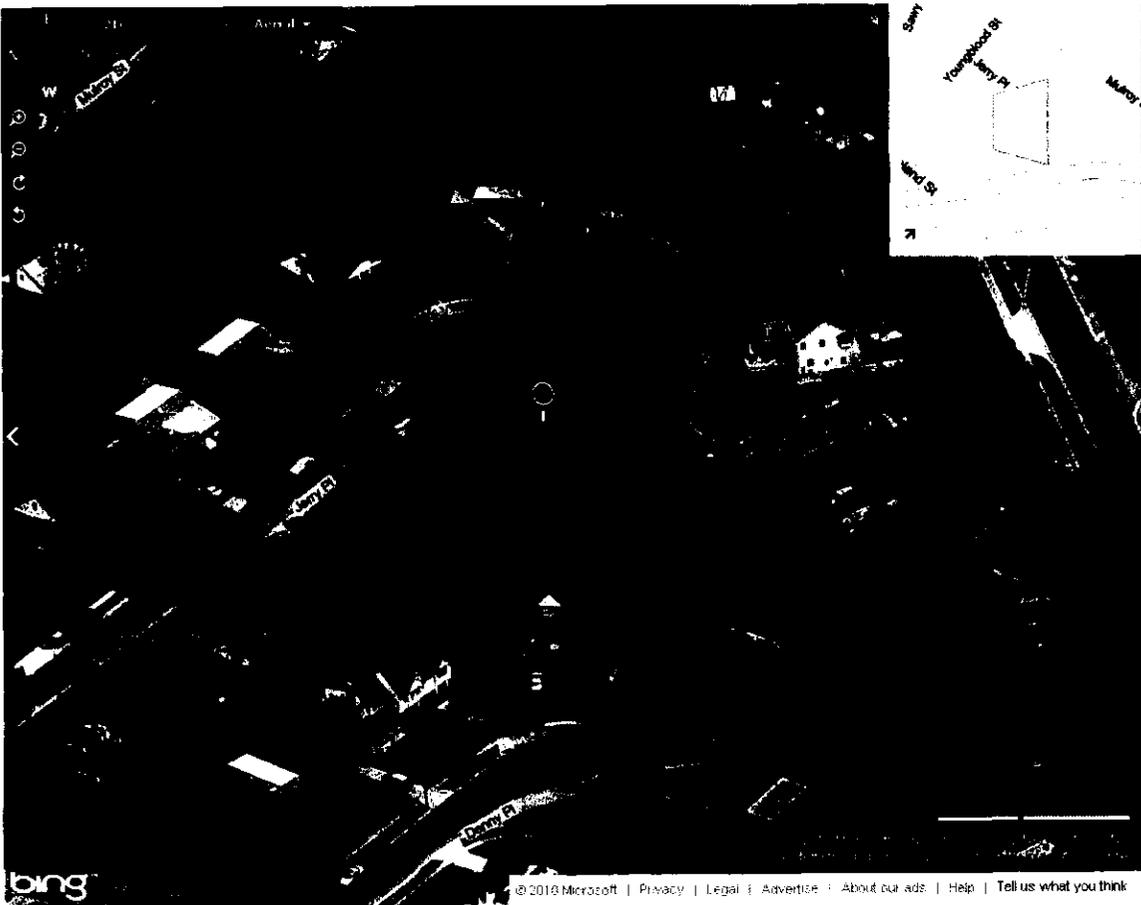
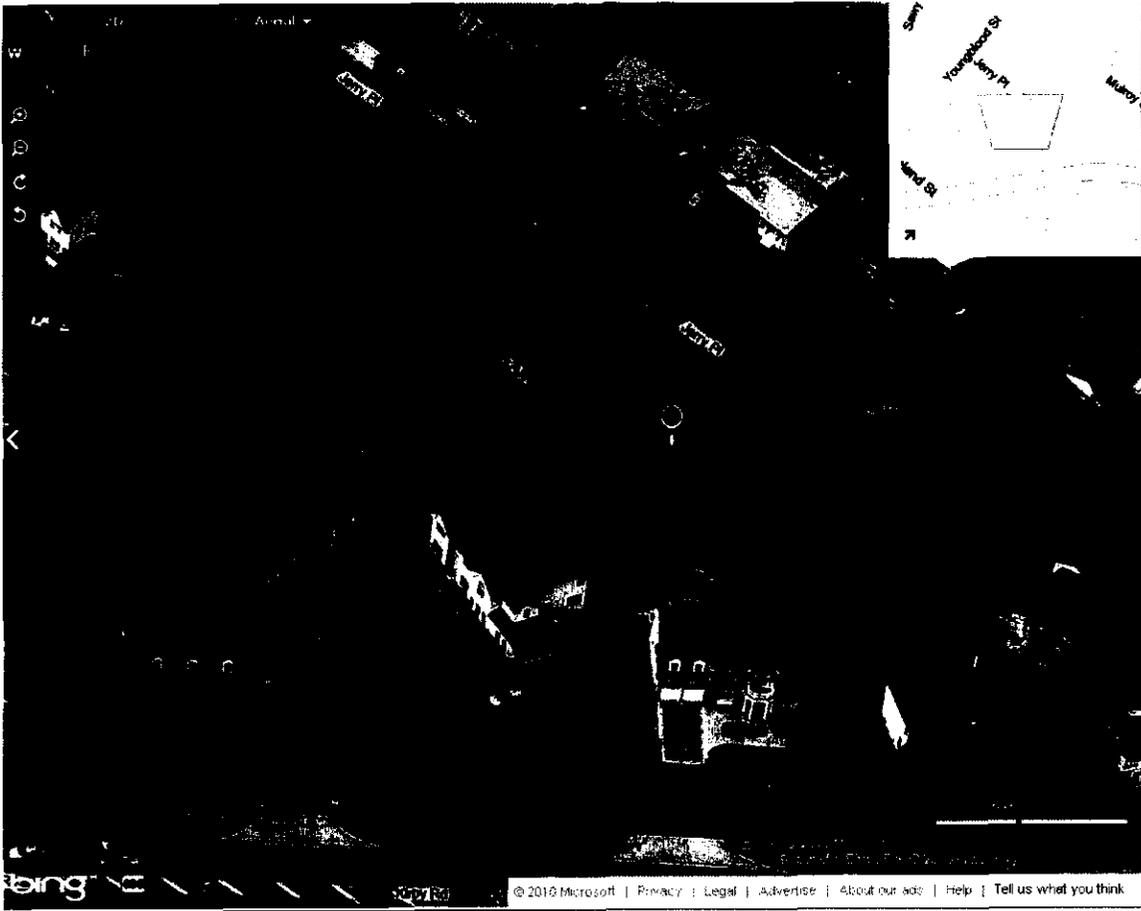
For the residence on 6603 Jerry Place, McLean Va.

There will be no overhang on the side or rear of the garage. The actual set backs will be to the finish of the garage trim on the exterior of the garage and at no point will any part exceed the setback.

Sincerely, Dick Ortner  
Case Design/Remodeling

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MAR 10 2010  
Zoning Evaluation Division





**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-903 Standards for all Group 9 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

#### **8-922 Provisions for Reduction of Certain Yard Requirements**

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
  - A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
  - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
  - C. Accessory structure location requirements set forth in Sect. 10-104.
  - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.
3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. The resulting gross

floor area of any subsequent addition is limited to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the definition of gross floor area, as set forth in this Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage.

5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.